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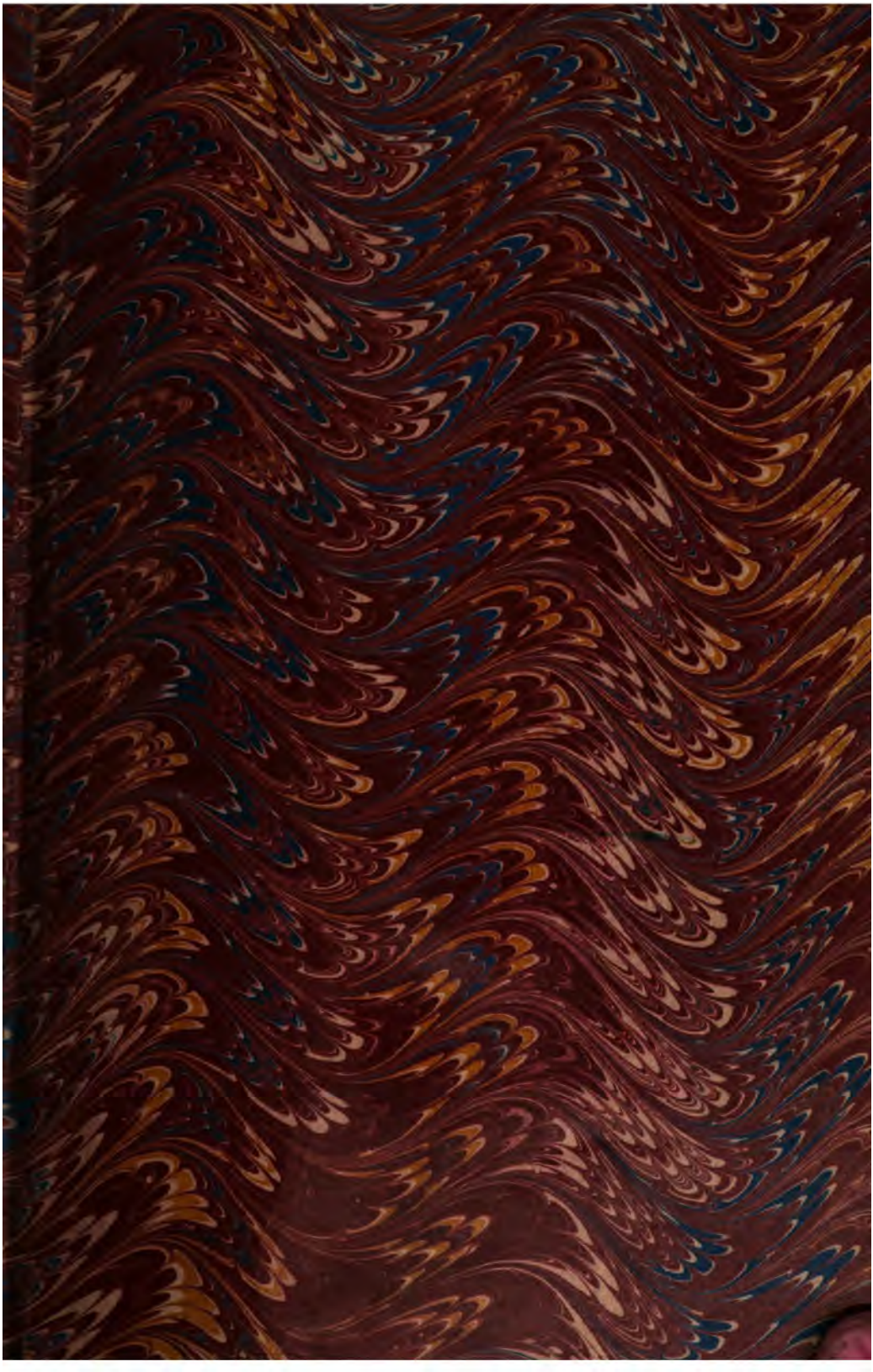

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# DR. ROBERTSON'S WORKS.

## THE

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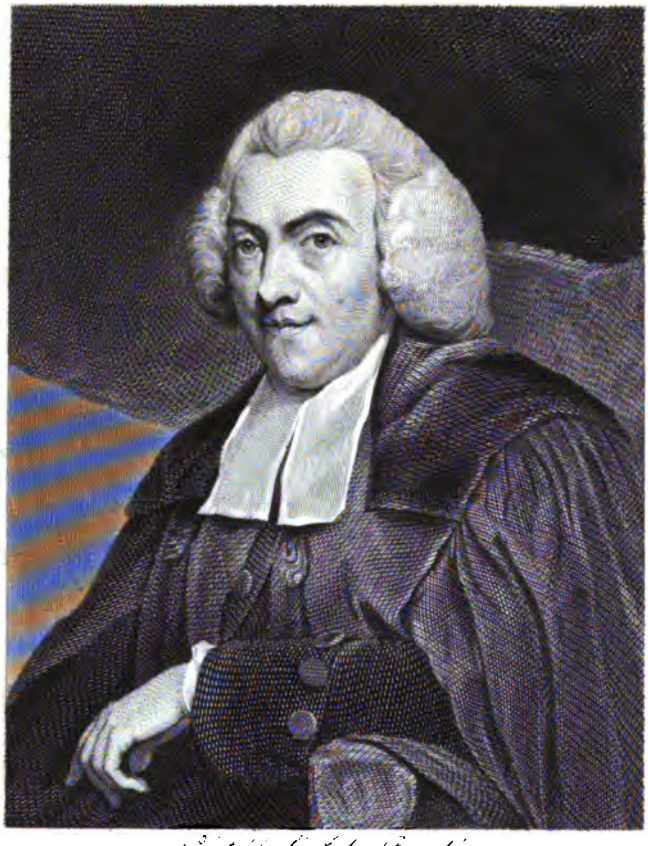
VOLUME I.



Painted by Sir Joshua Reynolds.

William Robertson
1771

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THE

# WORKS

OF

# WM. ROBERTSON, D.D.

IN EIGHT VOLUMES.

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THE FIRST VOLUME.

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# AN ESSAY

ON THE

# LIFE AND WRITINGS

OF

# WILLIAM ROBERTSON, D.D.

THE curiosity, which most men feel, to become acquainted with the circumstances of the life of those who have rendered themselves illustrious, by the attainment of perfection in the various careers of human ambition, exists so naturally in all inquiring minds, and from its gratification so much instruction may be gained, that it would be deemed a reprehensible omission to send forth to the world an edition of the works of one of the most renowned of the British historians, without making some attempt towards delineating his private character and habits, towards tracing the steps by which he reached the high rank that he holds among the writers of his country, and towards exemplifying the success of industry accompanied with virtue. But concerning the author of the following volumes little can be gleaned, either from the traditions of his contemporaries, or the records left by his friends: much of his life seems to have passed in the bosom of domestic privacy, unheeded by the public eye, which naturally is attracted rather by the glare of political

action, than by the soft light of social virtue; and Mr. Dugald Stewart, who, from his intimate connexion with the historian, may be supposed to be perfectly acquainted with his private life, seems to disdain that minuteness of detail which many regard as the most interesting part of biographical narrative.

William Robertson was born on the eighth of September, 1721, according to the old style, at Borthwick, in the county of Mid Lothian, a parish of which his father was then minister: he was one of a family of eight children, of whom none but the historian rose to such eminence as to deserve commemoration, even could any facts be withdrawn from the darkness which generally envelops the memory of ordinary men after the tomb has closed on their remains.

Robertson received the first rudiments of education at the parochial school of his native place; when he had attained the age generally deemed fit for entering on classic studies, his father, induced probably by the extended reputation of the head master, Leslie, placed him at the school of Dalkeith. Of his advancement under so skilful a tutor, I have been unable to collect any account; but it may be inferred from the observations of his friends, that he was remarkable rather by a patient and industrious culture of the mental powers which providence vouchsafed him, than by any extraordinary precocity of genius. Unlike those plants which one summer's sun brings to their full growth, whose splendid flowers burst quickly forth, and as quickly fade, his mind rather resembled the slow-growing oak, which, watered by the dews of many a spring, and fostered by the warmth of many a summer, rises at last the lord of the forest.

In 1733, his father having been translated to the ministry of Old Gray Friars in Edinburgh, young Robertson quitted the school of Dalkeith, and again resided under the paternal roof. In the month of October of the same year he was admitted into the college and

university of Edinburgh: he was then little more than twelve years old. That at so tender an age he should have entered on his course of academical study will, perhaps, cause some surprise, particularly to those who are accustomed to regard collegiate education as the intermediate step from the discipline of the school to the independence of manhood: but it must be remembered that, as time advances, and the sphere of human knowledge becomes more extensive, changes must necessarily be made in the system of university education. Many of the elements of science and of literature, formerly considered as requiring the skill and authority of a public professor to develop and enforce, are now banished from the university to the school. That, even in the southern and more civilized parts of the island, academical education formerly commenced at a much earlier period than now, is sufficiently proved by the statutes of the two universities, which, in many cases, order corporeal chastisement to be inflicted on the delinquent, a punishment which, it is well known, Milton suffered at Cambridge.

During Robertson's stay at the university, he appears to have pursued his studies with a perseverance and ardour astonishing in so young a person; Mr. Stewart informs us, that there still remain many of his commonplace books, dated 1735, 1736, 1737, which furnish proofs of indefatigable industry; each of them bears the epigraph, "Vita sine literis mors est;" from which we may infer, that he was incited to study, not so much by the ambition of literary applause, as by a conviction that the acquirement of true knowledge strengthens the soul in the practice of virtue. Not an inconsiderable portion of his attention seems to have been devoted towards the acquirement of a pure English style; a task, of which the difficulty must be greatly increased to one accustomed from his earliest years to the errours of a provincial dialect: for this purpose he industriously exercised himself in translating from the

Latin and Greek authors; this practice has been often recommended to young men, and to it we are told that Pitt stood indebted for his noble powers of eloquence: Robertson had even begun, at a very early period, a version of the twelve books of Marcus Aurelius, which he had prepared for the press, when he was prevented by the publication of an anonymous translation at Glasgow. It has been said that he was induced to make choice of this author by the partiality, with which he always regarded the remains of the stoical philosophy; the motives which induce a writer to undertake any work seldom stray beyond his own bosom, a pleasing surprise, however, is felt in learning that so young a student had voluntarily applied his attention to the meditations of this excellent philosopher, who, to use the words of Herodian, *μόνος βασιλέων φιλοσοφίαν οὐ λόγοις, οὐδὲ δογμάτων γνώσεσι, σεμνῷ δ' ἤθει καὶ βίῳ σάφρονι ἐπιστώσατο.*

Robertson did not confine himself entirely to the acquisition of such talents as shed lustre on the writer only: he intended to devote himself to the service of the church of Scotland, and was too wise to disdain any ornament that might add to the attraction of the preacher, and, in any degree, promote the cause of truth and morality; he was aware that what is gained in wisdom is often lost in perspicuity of communication, and that the student who, by years of recluse application, has stored his mind with copiousness of ideas, and enriched his pen with the elegancies of language, often wants that readiness of application which, in general conversation and public speaking, frequently gives the power of persuasion to men of slender acquirements and feeble mind. Our author was probably more urgently induced to add to the purity of composition the powers of a ready and commanding orator, by the necessity of conforming to the practice of preaching without notes, then followed in the Scottish pulpits; indeed, to address an audience on the important truths of christianity, to recall, without written assistance, the

proposed arguments of the discourse and the links of ratiocination, requires a strength of memory and a presence of mind that rarely fall to the lot of man, and can hardly be acquired with the utmost diligence of application; hence, I believe, it is, that in those communions of the christian church, in which custom forbids the use of any written assistance to the preacher, the sermons are mostly extemporary, and, by consequence, the rant of passion takes the place of calm persuasion and correct argument.

Sensible of these difficulties, Robertson resolved, if possible, to surmount them by devoting some part of his attention to a course of practical elocution. For this purpose he united with some of his contemporaries during the last years of his residence in the university, in the formation of a society, the object of whose members was to cultivate the study of public speaking, and to prepare themselves, by the habits of extemporary discussion and debate, for conducting the business of popular assemblies. Stewart ascribes the entrance of Robertson into this society to a motive not less powerful, perhaps, than the wish to excel as a preacher: he looked forward, says his biographer, to the active share he was afterwards to take in the ecclesiastical policy of Scotland.

At the completion of his academical studies, in 1741, he was licensed to preach by the presbytery of Dalkeith, although not yet of age; for in Scotland a license to preach is not accompanied with authority to administer the sacraments, or qualification to take the cure of souls. Two years afterwards he was enabled to perform the duties of a presbyterian minister, and was presented to the living of Gladsmuir in East Lothian, by the earl of Hopeton. The income derived from his benefice was inconsiderable, not exceeding one hundred pounds annually: slender as it was it enabled him to demonstrate his high sense of fraternal duty. His father and mother dying soon after his pre-

sentation, within a few hours of each other, and leaving a younger son and six daughters totally unprovided for, he took them all under his own roof at Gladsmuir, and continued to educate and support them until they were respectably settled in the world.

In the rebellion that broke out in Scotland in 1745, he gave proof of his zeal in the support of the liberties, civil and religious, of his country; being but a provincial clergyman his exertions were confined to a narrow sphere; but even here, says his friend and biographer, his conduct was guided by a mind superior to the scene in which he acted. When the capital was in danger of falling into the hands of the rebels, he laid aside the pacific habits of his profession, and quitted Gladsmuir to join the volunteers of Edinburgh: and when at last it was determined that the city should be surrendered, he was one of the small band who repaired to Haddington and offered their services to the commander in chief of his majesty's forces. As soon as peace was restored he returned to his parochial duties; these he discharged with the punctuality of a true christian pastor, for which he was rewarded by the affection and respect uniformly paid him by his parishioners. We are told that he was distinguished by his eloquence and taste as a preacher; and, if we may judge from the only sermon he published, he received not less praise than he deserved[a].

At this period of his life he was accustomed to rise at a very early hour, and to read and write much before breakfast, devoting the rest of the day to the duties of his sacred profession; he is represented as having been diligent in visiting the poor and afflicted, and in catechising the youth of his parish.

In 1751, having settled his orphan sisters, he thought

[a] The situation of the world at the time of Christ's appearance, and its connexion with the success of his religion, considered; a sermon, preached before the society in Scotland for propagating christian knowledge, January the sixth, 1755. This sermon was translated into German by Mr. Ebeling.

himself at liberty to think of adding to his own comfort and happiness of life by marriage; he united himself to the daughter of the reverend Mr. Nisbet, one of the ministers of Edinburgh. This lady was his cousin, and had long been the object of his affections; with her he passed many years of domestic felicity.

About this time he began to be conspicuous by the part he took in the debates of the general assembly of the church of Scotland. As this court was the most active scene in which Robertson had an opportunity to engage, it will not be impertinent to the purpose of this narrative to give an outline of its constitution, which differs considerably from that of the clerical convocations of other countries. I shall, therefore, insert the following description of the general assembly from the pen of a gentleman[b], whose profession and country furnished him with every opportunity of giving correct information on the subject.

"The general assembly of the church of Scotland is composed of representatives from the presbyteries; from the royal boroughs; from the four universities; and from the Scotch church of Campvere in Holland. The presbyteries send two hundred and ninety members, of whom two hundred and one are ministers, and eighty-nine lay-elders; the royal boroughs send sixty-seven members, all of whom are laymen; the universities send five members, who may be either laymen or ministers holding an office in the university; and the church of Campvere sends two members, one minister, and one lay-elder. The whole number is three hundred and sixty-four, of whom two hundred and two are ministers, and one hundred and sixty-two laymen; including in the latter class the members from the univer-

[b] The reverend S. Hill, D. D. principal of St. Mary's college in the university of St. Andrew's; a gentleman, says Mr. Stewart, (from whose life of the historian the extract is taken,) intimately connected with Dr. Robertson by friendship, and highly respected by him for the talent and eloquence which he has for many years displaeyd in the ecclesiastical courts.

sities. The annual sittings of the assembly continue only for ten days; but a committee of the whole house (called the commission) has four stated meetings in the year, for the despatch of whatever business the general assembly has been unable to overtake.

"In subordination to this supreme court, there is a series of inferior judicatories rising, one above another, in authority. The lowest of these is the kirk sessions, or parochial consistories; composed of the ministers, together with the lay-elders of their respective parishes. The ministers of a number of contiguous parishes, together with certain representatives from the kirk sessions, form a presbytery; and a plurality of presbyteries (differing in number according to accidental circumstances) form a provincial synod.

"While the constitution of the Scottish church admits of no superiority of one minister above another, it requires from all its individual members, and from all its inferior judicatories, strict obedience to those who are placed in authority over them. Every court is bound to lay the record of all its proceedings from time to time before the tribunal which is its immediate superior; any part of its proceedings may be brought by appeal or complaint under the review of a higher jurisdiction; and every minister, when he receives orders, comes under a solemn engagement 'to assert, maintain, and defend the doctrines, discipline, and government of the church; and never to attempt any thing, directly or indirectly, which may tend to its subversion or prejudice.'

"In consequence of this subordination of judicatories, the general assembly determines, as the court of last resort, all the causes brought under its review, and has the power of enforcing, without control, obedience to its decrees. It possesses also extensive legislative powers, as it may, with the concurrence of a majority of presbyteries, enact laws for the government of the whole church."

It is obvious that in the general assembly a wide field must sometimes be opened for the display of eloquence and argument. At Robertson's first appearance on this theatre, a question was much agitated in the church of Scotland: it was, whether the claim of lay patrons to present ministers to parishes be well-founded. Strong prejudices prevailed at that time in Scotland against the law of patronage, not only among the people at large, but even among the presbyterian ministers themselves. Boswell, in his life of Johnson, has preserved a discourse of the learned moralist in favour of the patron's right, which he who would wish to see the subject treated with extraordinary power of argument, will do well to consult. Robertson, being convinced of the equity of the law of patronage, was strenuous and constant in its defence; and although at first left in an inconsiderable minority, the influence which he gradually gained over the assembly, at last enabled him to set the question at rest by a signal triumph over the democratical faction of the church.

Some years after this (1757) John Home, then minister of Athelstonford, published his celebrated tragedy of Douglas: many of the author's friends among the clergy went to witness the first representation of the piece at the Edinburgh theatre. The sour austerity of the presbyterian system deemed it so inconsistent with the clerical character to give any countenance to the amusements of the playhouse, that the author and his friends were prosecuted in the ecclesiastical court. Home himself resigned his living, and thus escaped the persecution of savage fanaticism. Of the friends who attended him to the playhouse some were rebuked by their respective presbyteries, and one or two were suspended from the exercise of ecclesiastical functions for a few weeks. The sentence passed on the delinquents was remarkable by its unexpected mildness, to which Robertson contributed not a little by

his eloquence; he defended Home, as a friend to whom he was attached by long and intimate acquaintance, and as the object of puritanic oppression; he had never himself been within the walls of a theatre, being restrained by a promise which he had made to his father: "That promise," said Robertson, "which was exacted by the most indulgent of parents, I have hitherto religiously kept; and it is my intention to keep it till the day of my death. I am at the same time free to declare, that I perceive nothing sinful or inconsistent with the spirit of christianity in writing a tragedy, which gives no encouragement to baseness or vice, and that I cannot concur in censuring my brethren for being present at the representation of such a tragedy, from which I was kept back by a promise, which, though sacred to me, is not obligatory on them."

The exertions which Robertson made on this occasion, says bishop Gleig, recommended him more, perhaps, than any thing which he had hitherto performed, to the notice of the great, the elegant, and the liberal. He was looked up to as the man destined by providence to rescue the church from the intolerant spirit and savage manners of puritanism, with which her clergy, whether justly or not, had long been charged: and the consequence was, that his conversation was courted by many to whom he could not with propriety refuse it.

Robertson was a member of the select society, a literary club instituted in 1754, in Edinburgh. The objects of the society were philosophical inquiry and literary debate; it was projected by Allan Ramsay, the painter, and a few of his friends; but soon attracted so much of the public notice, that in the second year of its establishment it boasted a hundred members, among whom we find, as the most remarkable names, Adam Smith, Alexander Wedderburn, afterwards lord chancellor, Allan Ramsay, lord Monboddo, David Hume, John Home, lord Kaims, Dr. Robertson, Dr. Carlyle,

William Tytler, Adam Ferguson, etc. To this institution our author contributed his most zealous support, seldom omitting any opportunity of taking a share in the discussions: Hume and Adam Smith were often present, but, we are told, that they never opened their lips.

A few of the members of this society associated for the purpose of publishing a periodical review of literature: the principal contributors to this undertaking were Robertson, Smith, and Blair; but after two numbers, published in July and December, 1755, they were obliged to abandon their design. The reviewers had taken the liberty to handle rather roughly some miserable effusion of fanaticism which they wished to banish from the church, but puritanic prejudice was yet too great; such was the outcry of the enthusiasts that the authors of the review gave up their labours in despair.

Of most men the occupations above mentioned would have absorbed the whole time; but in the midst of so many avocations Dr. Robertson still found leisure to pursue his studies. It appears, from his letters to lord Hailes, which are appended to this narrative, that he had projected his History of Scotland soon after his settlement at Gladsmuir; in 1758, having received the degree of doctor in divinity by diploma from the university of Edinburgh, he went to London to concert measures for the publication of this work. It appeared on the first of February 1759, and was received with such applause, that before the end of the month his bookseller desired him to prepare for a second edition. In a conversation at Allan Ramsay's house, which Boswell has inserted in the life of Johnson, Robertson stated that he had sold his History of Scotland at a moderate price, as a work by which the booksellers might either gain or not; and that Cadell and Miller got six thousand pounds by it. Of the History of Scotland fourteen editions were published in the author's lifetime.

By the publication of the History of Scotland, Dr.

Robertson took instantly a respectable rank among the celebrated writers of his country; affluence and independence were now within his reach, and his industry was such as not to suffer them to escape him: he resolved to attempt some higher and more important work. Dr. Blair urged him to undertake a complete History of England, but to this proposal he would not listen, being unwilling to oppose his friend Hume in the field of literature. The two subjects which appear to have chiefly divided the choice of Dr. Robertson were the History of Greece and that of Charles the fifth; he at length determined for the latter: but before we trace the progress of this great work, it will be proper to give the reader a sketch of the preferments which he obtained after publishing the History of Scotland.

While his first work was in the press Dr. Robertson removed, with his family, from Gladsmuir to Edinburgh, in consequence of a presentation which he had received to one of the churches of that city. In 1759, he was appointed chaplain of Stirling castle; in 1761, one of his majesty's chaplains in ordinary for Scotland; and in 1762 he was chosen principal of the university of Edinburgh; two years afterwards, the office of king's historiographer for Scotland was revived in his favour; the salary attached to this last office was two hundred pounds a year; the last person who had held it was Crawfurd, who was historiographer to queen Anne. If we consider how seldom any solid advantage is procured to an author by literary eminence, we must own that Dr. Robertson had no reason to complain of the world; he himself seems indeed to have been satisfied with his situation: nevertheless some of his friends solicited him to become a member of the church of England, thinking that establishment would open a wider field for the career of his ambition. "References to such a project," says his biographer, "occur in letters addressed to him about this time by sir Gilbert Elliot,

Mr. Hume, and Dr. John Blair. What answer he returned to them, I have not been able to learn; but, as the subject is mentioned once only by each of these gentlemen, it is probable that his disapprobation was expressed in those decided terms which became the consistency and dignity of his character."

Dr. Robertson now began to attend seriously to the History of Charles the fifth, which is so intimately connected with the discovery of the new world, and involves in itself the most important events of modern Europe. In the progress of this work, however, he was interrupted by a new proposal, which, as it originated with the king, he could not immediately reject; at a former period, in recommending to him the History of England, Dr. John Blair mentioned to him, as an inducement, a conversation between lord Chesterfield and colonel Irwin, in which the former said that he would not scruple, if Dr. Robertson would undertake such a work, to move in the house of peers, that he should have public encouragement to enable him to carry it into execution; but Chesterfield's base treatment of Johnson was too fresh in the minds of all for a Scotchman to place the least confidence in the promises of such a patron. The proposal now was accompanied with circumstances which obliged the historian, as a loyal subject, to give it his most serious consideration; it was made to him in a letter from lord Cathcart, dated July the twentieth, 1762, of which the following are extracts immediately relating to the proposed undertaking.

. . . . . "Lord Bute[c] told me the king's thoughts, as well as his own, with respect to your History of Scotland, and a wish his majesty had expressed to see a History of England by your pen. His lordship assured me, every source of information which government can command would be opened to you; and that, great, la-

[c] Dugald Stewart's Life of Dr. Robertson.

borious, and extensive as the work must be, he would take care your encouragement should be proportioned to it. He seemed to be aware of some objections you once had, founded on the apprehension of clashing or interfering with Mr. David Hume, who is your friend: but as your performance and his will be upon plans so different from each other, and as *his* will, in point of time, have so much the start of yours, these objections did not seem to him such as, upon reflection, were likely to continue to have much weight with you." . . . . . " I must add, that though I did not think it right to inquire particularly into lord Bute's intentions before I knew a little of your mind, it appeared to me plain, that they were higher than any views which can open to you in Scotland, and which, I believe, he would think inconsistent with the attention the other subject would necessarily require." . . . . .

To this letter Dr. Robertson returned an answer, of which the following "imperfect sketch," found among his papers, is here added.

. . . . . " After the first publication of the History of Scotland, and the favourable reception it met with, I had both very tempting offers from booksellers, and very confident assurances of public encouragement, if I would undertake the History of England. But as Mr. Hume, with whom, notwithstanding the contrariety of our sentiments both in religion and politics, I live in great friendship, was at that time in the middle of the subject, no consideration of interest or reputation would induce me to break in upon a field of which he had taken prior possession; and I determined that my interference with him should never be any obstruction to the sale or success of his work. Nor do I yet repent my having resisted so many solicitations to alter this resolution. But the case I now think is entirely changed. His history will have been published several years before any work of mine on the same subject can appear; its first run will not be marred by any

justling with me, and it will have taken that station in the literary system which belongs to it. This objection, therefore, which I thought, and still think, so weighty, at that time, makes no impression on me at present, and I can now justify my undertaking the English history to myself, to the world, and to him. Besides, our manner of viewing the same subject is so different or peculiar, that (as was the case in our last books) both may maintain their own rank, have their own partisans, and possess their own merit, without hurting each other.

" I am sensible how extensive and laborious the undertaking is, and that I could not propose to execute it in the manner I could wish, and the public will expect, unless I shall be enabled to consecrate my whole time and industry to it. Though I am not weary of my profession, nor wish ever to throw off my ecclesiastical character, yet I have often wished to be free of the labour of daily preaching, and to have it in my power to apply myself wholly to my studies. This the encouragement your lordship mentions will put in my power. But as my chief residence must still be in Scotland, where I would choose, both for my own sake and that of my family, to live and to compose; as a visit of three or four months now and then to England will be fully sufficient for consulting such manuscripts as have never been published; I should not wish to drop all connexion with the church of which I am a member, but still to hold some station in it, without being reduced entirely to the profession of an author.

" Another circumstance must be mentioned to your lordship. As I have begun the History of Charles the fifth, and have above one third of it finished, I would not choose to lose what I have done. It will take at least two years to bring that work to perfection; and after that I shall begin the other, which was my first choice, long before Mr. Hume undertook it, though I was then too diffident of myself, and too idle to make

any progress in the execution of it, further than forming some general ideas as to the manner in which it should be prosecuted.

"As to the establishment to be made in my favour, it would ill become me to say any thing. Whether the present time be a proper one for settling the matter finally, I know not. I beg leave only to say, that however much I may wish to have a point fixed so much for my honour, and which will give such stability to all my future schemes, I am not impatient to enter into possession, before I can set to work with that particular task for which my appointments are to be given."

For what reason this plan, which by the foregoing correspondence seems to have been nearly decided upon, was finally abandoned, I have not been able to discover: Mr. Stewart conjectures, that it was in consequence of the resignation of lord Bute, in 1764, which must have imposed on the author the necessity of a new negotiation through a different channel.

After many delays, which served to heighten the impatience of public curiosity, and which proceeded probably, in some measure, from the faction which during this period ran high in the church of Scotland, and obliged the author to devote much of his time to the debates of the general assembly, the History of Charles the fifth at last made its appearance in 1769, in three volumes quarto. This work proved that the talents of Dr. Robertson were not confined to the history of his own country alone; the first volume was, and is still, considered the best introduction to the history of modern Europe; and the events of the last war have shown that the author was not quite so hasty in his conclusions with regard to the balance of power, as some writers, during the noontide of Buonaparte's prosperity, thought proper to represent him.

Hume was, it seems, favoured with the sheets of the work as they were printed off. I shall insert an extract of a letter from that gentleman to Dr. Robertson,

which may serve to show the attention which great writers themselves think it incumbent on them to pay to the niceties of language. Some, perhaps, will be surprised at the gay and childish levity Hume displays in this letter, but let it be recollected that it was written to one, his most intimate friend, in his correspondence with whom, as with his other acquaintance, he thought it improper to assume any thing of the formal stiffness which very often characterizes the epistles of the learned.

"I got yesterday from Strahan about thirty sheets of your history to be sent over to Suard, and last night and this morning have run them over with great avidity. I could not deny myself the satisfaction (which I hope also will not displease you) of expressing presently my extreme approbation of them. To say only they are very well written, is by far too faint an expression, and much inferior to the sentiments I feel: they are composed with nobleness, with dignity, with elegance, and with judgment, to which there are few equals. They even excel, and, I think, in a sensible degree, your History of Scotland. I propose to myself great pleasure in being the only man in England, during some months, who will be in the situation of doing you justice, after which you may certainly expect that my voice will be drowned in that of the public.

"You know that you and I have always been on the footing of finding in each other's productions *something to blame, and something to commend;* and therefore you may perhaps expect also some seasoning of the former kind; but really neither my leisure nor inclination allowed me to make such remarks, and I sincerely believe you have afforded me very small materials for them. However, such particulars as occur to my memory I shall mention. *Maltreat* is a Scotticism which occurs once. What the devil have you to do with that old-fashioned dangling word *wherewith?* I should as soon take back *whereupon, whereunto,* and *wherewithal.*

I think the only tolerable, decent gentleman of the family, is *wherein;* and I should not choose to be often seen in his company. But I know your affection for *wherewith* proceeds from your partiality to dean Swift, whom I can often laugh with, whose style I can even approve, but surely can never admire. It has no harmony, no eloquence, no ornament; and not much correctness, whatever the English may imagine. Were not their literature still in a somewhat barbarous state, that author's place would not be so high among their classics. But what a fancy is this you have taken of saying always *an hand, an heart, an head?* Have you *an ear?* Do you not know, that this (n) is added before vowels to prevent the cacophony, and ought never to take place before (h) when that letter is sounded? It is never pronounced in these words: why should it be wrote? Thus, I should say, a *history*, and an *historian;* and so would you too, if you had any sense. But you tell me, that Swift does otherwise. To be sure there is no reply to that; and we must swallow your *hath* too upon the same authority. I will see you d—d sooner. But I will endeavour to keep my temper.

"I do not like this sentence in page one hundred and forty-nine: *This step was taken in consequence of the treaty Wolsey had concluded with the emperor at Brussels, and which had hitherto been kept secret.* Si sic omnia dixisses, I should never have been plagued with hearing your praises so often sounded, and that fools preferred your style to mine. Certainly it had been better to have said, *which Wolsey, etc.* That relative ought very seldom to be omitted, and is here particularly requisite to preserve a symmetry between the two members of the sentence. You omit the relative too often, which is a colloquial barbarism, as Mr. Johnson calls it.

"Your periods are sometimes, though not often, too long. Suard will be embarrassed with them, as the modish French style runs into the other extreme." . .

A copy of the History of Charles the fifth was sent to Voltaire, who in historical description had nearly the same power of irresistibly fixing the reader's interest as Dr. Robertson himself. Voltaire acknowledged the receipt of the present in a short letter, dated the twenty-sixth of February, 1770, from the Château de Ferney.

"Il y a quatre jours que j'ai reçu le beau présent dont vous m'avez honoré. Je le lis malgré les fluxions horribles qui me font craindre de perdre entièrement les yeux. Il me fait oublier tous mes maux. C'est à vous et à M. Hume qu'il appartient d'écrire l'histoire. Vous êtes éloquent, savant, et impartial. Je me joins à l'Europe pour vous estimer."

An elegant French translation of the work was, soon after its publication in this country, printed at Paris. The version was made by M. Suard, subsequently a member of the French academy; the translation I have not seen, but have been informed, that it is written in a style which by no means disgraces the original.

In the year 1777, immediately following that of the death of Hume, and eight years after the publishing of the History of Charles the fifth, appeared the History of America, in two volumes quarto. His biographer informs us, that in undertaking this task, the author's original intention was only to complete his account of the great events connected with the reign of Charles the fifth; but perceiving, as he advanced, that a History of America, confined solely to the operations and concerns of the Spaniards, would not be likely to excite a very general interest, he resolved to include in his plan the transactions of all the European nations in the New World. The origin and progress of the British empire there, he destined for the subject of one entire volume; but afterwards abandoned, or rather suspended the execution of this part of his design, for the prudent reasons mentioned in his preface.

The universal applause with which this new work

was received is well known; on this occasion, as before at the appearance of his other histories, the author received the congratulations of many individuals of literary eminence, among whom were Gibbon and Burke; the former acknowledges the present of Dr. Robertson's book, in a letter dated from Paris, the fourteenth of July, 1777, of which the following extract is given by Dugald Stewart:

"When I ventured to assume the character of historian, the first, the most natural, but at the same time the most ambitious wish which I entertained, was to deserve the approbation of Dr. Robertson and Mr. Hume, two names which friendship united, and which posterity will never separate. I shall not therefore attempt to dissemble, though I cannot easily express, the honest pleasure which I received from your obliging letter, as well as from the intelligence of your most valuable present. The satisfaction which I should otherwise have enjoyed in common with the public, will now be heightened by a sentiment of a more personal and flattering nature; and I shall often whisper to myself that I have, in some degree, obtained the esteem of the writer whom I admire.

"A short excursion which I have made to this place during the summer months, has occasioned some delay in my receiving your letter, and will prevent me from possessing, till my return, the copy of your history, which you so politely desired Mr. Strahan to send me. But I have already gratified the eagerness of my curiosity and impatience; and though I was obliged to return the book much sooner than I could have wished, I have seen enough to convince me that the present publication will support, and, if possible, extend the fame of the author; that the materials are collected with care, and arranged with skill; that the progress of discovery is displayed with learning and perspicuity; that the dangers, the achievements, and the views of the Spanish adventurers, are related with a temperate

spirit; and that the most original, perhaps the most curious portion of human manners, is at length rescued from the hands of sophists and declaimers. Lord Stormont, and the few in this capital who have had an opportunity of perusing the History of America, unanimously concur in the same sentiments: your work is already become a favourite subject of conversation, and M. Suard is repeatedly pressed, in my hearing, to fix the time when his translation will appear."

Burke wrote to the author in the following terms:

"I am perfectly sensible of the very flattering distinction I have received in your thinking me worthy of so noble a present as that of your History of America. I have, however, suffered my gratitude to lie under some suspicion, by delaying my acknowledgment of so great a favour. But my delay was only to render my obligation to you more complete, and my thanks, if possible, more merited. The close of the session brought a great deal of very troublesome, though not important business on me at once. I could not go through your work at one breath at that time, though I have done it since. I am now enabled to thank you, not only for the honour you have done me, but for the great satisfaction, and the infinite variety and compass of instruction I have received from your incomparable work. Every thing has been done which was so naturally to be expected from the author of the History of Scotland, and of the Age of Charles the fifth. I believe few books have done more than this, towards clearing up dark points, correcting errours, and removing prejudices. You have too the rare secret of rekindling an interest on subjects that had so often been treated, and in which every thing which could feed a vital flame appeared to have been consumed. I am sure I read many parts of your history with that fresh concern and anxiety which attend those who are not previously apprised of the event. You have, besides, thrown quite a new light on the present state of the Spanish pro-

vinces, and furnished both materials and hints for a rational theory of what may be expected from them in future.

"The part which I read with the greatest pleasure is, the discussion on the manners and character of the inhabitants of that new world. I have always thought with you, that we possess at this time very great advantages towards the knowledge of human nature. We need no longer go to history to trace it in all its stages and periods. History, from its comparative youth, is but a poor instructer. When the Egyptians called the Greeks children in antiquities, we may well call them children; and so we may call all those nations which were able to trace the progress of society only within their own limits. But now the great map of mankind is unrolled at once, and there is no state or gradation of barbarism, and no mode of refinement, which we have not at the same moment under our view: the very different civility of Europe and of China; the barbarism of Persia and of Abyssinia; the erratick manners of Tartary and of Arabia; the savage state of North America and of New Zealand. Indeed you have made a noble use of the advantages you have had. You have employed philosophy to judge on manners, and from manners you have drawn new resources for philosophy. I only think that in one or two points you have hardly done justice to the savage character.

"There remains before you a great field. *Periculosæ plenum opus aleæ tractas, et incedis per ignes suppositos cineri doloso.* When even those ashes will be spread over the present fire, God knows, I am heartily sorry that we are now supplying you with that kind of dignity and concern, which is purchased to history at the expense of mankind. I had rather by far that Dr. Robertson's pen were only employed in delineating the humble scenes of political economy, than the great events of a civil war. However, if our statesmen had read the book of human nature instead of the journals

of the house of commons, and history instead of acts of parliament, we should not by the latter have furnished out so ample a page for the former. For my part, I have not been, nor am I very forward in my speculations on this subject. All that I have ventured to make have hitherto proved fallacious. I confess, I thought the colonies left to themselves could not have made any thing like the present resistance to the whole power of this country and its allies. I did not think it could have been done without the declared interference of the house of Bourbon. But I looked on it as very probable that France and Spain would before this time have taken a decided part. In both these conjectures I have judged amiss. You will smile when I send you a trifling temporary production, made for the occasion of a day, and to perish with it, in return for your immortal work. But our exchange resembles the politics of the times. You send out solid wealth, the accumulation of ages, and in return you get a few flying leaves of poor American paper. However, you have the mercantile comfort of finding the balance of trade infinitely in your favour; and I console myself with the snug consideration of uninformed natural acuteness, that I have my warehouse full of goods at another's expense.

"Adieu, sir, continue to instruct the world; and whilst we carry on a poor unequal conflict with the passions and prejudices of our day, perhaps with no better weapons than other passions and prejudices of our own, convey wisdom at our expense to future generations."

This work procured the author the honour of being elected a member of the Royal Academy of History at Madrid; this compliment, however, one of his biographers is inclined to esteem rather a disgrace than an honour, as he attributes it to the disposition shown in the book to palliate and veil the enormities of the Spaniards in their American conquests. A better apology for Dr. Robertson's performance of this part

of his task I cannot think of than that made by Bryan Edwards, who, in the History of the West Indies, remarks, "that this is one of the most melancholy passages in the history of human nature, where a benevolent mind, shrinking from the contemplation of facts, wishes to resist conviction, and to relieve itself by incredulity."

Dr. Robertson, by his office in the university of Edinburgh, had it in his power to be annually returned as a representative in the general assembly, where his influence became so powerful, that the period from his appointment as principal of the university, till his retreat from public life, was known by the distinctive appellation of 'Dr. Robertson's administration.' To follow him through the various scenes in which he displayed the strength of mind and constancy of virtue before this ecclesiastical court, would be a task tedious in execution and uninteresting in detail. One circumstance, however, which occurred towards the close of his public life is of too memorable a nature to be passed over in silence.

In 1778 the English Roman catholics were relieved from the severest of the penalties enacted against them in the reign of William the third; this encouraged the catholics of Scotland to hope for the same relief on the same conditions; and several gentlemen of rank and character declared their intention to have a bill brought into parliament for that purpose. Dr. Robertson, who, although himself a strict presbyterian, was always ready to show his countrymen the example of toleration to all christians, seconded the design by his approbation, and contributed to the rejection of a remonstrance against it proposed in the general assembly. His opponents, beaten on the field of fair argument, now leagued themselves with the mob, which in Scotland, as in other countries, is easily worked upon by the incitements of the violent and enthusiastic: pamphlets were industriously circulated representing the catholics as idolaters,

as bigots bound to keep no faith with heretics. Men too often start at dangers which exist only in their imagination; the fanatics thought they saw the fires of the inquisition lighted in the streets of Edinburgh; they forgot the immense superiority of their own strength and numbers, and fancied that, as soon as the bill should pass, the hydra of popery would again ravage their country. The alarm spread from man to man, from sect to sect, and even episcopal clergymen were seen enlisted under the banner of puritanic intolerance. The catholics of Scotland seeing that the prosecution of their claims would endanger their lives, dropped their intended application to parliament; and to calm, if possible, the minds of their countrymen they published an account of their proceedings in the newspapers.

Concessions, however, seldom satisfy the populace. On the second of February, 1779, multitudes of the lowest classes of the people assembled by appointment in Edinburgh, and headed by others in disguise, entered on the work of destruction. The house of the popish bishop, together with the chapel attached to it, was burnt to the ground; another chapel for catholics was destroyed in a similar way: their fury against popery being now somewhat gratified, they turned it against the episcopal church, and were even proceeding to fire the beautiful episcopal chapel in Cowgate, when they were stopped by some person, who called out, that one of the most able pamphlets which they had read against popery was written by an episcopal clergyman.

The mob now attacked the houses of those who had patronised the papists: among these the principal of the university was marked out as an object of peculiar vengeance; but the providence of his friends enabled him to escape the fury of the rioters; for when the mob, uttering loud threats of revenge, arrived at his house, they found it defended by a military force, which they had the prudence to refrain from attacking. The

soldiers having been called in to the assistance of the civil power, the rioters gradually dispersed, having obtained that satisfaction which the low and ignorant feel in the consciousness of having insulted and annoyed their superiors.

In a subsequent assembly, which met in the month of May, 1780, and the last except one in which Dr. Robertson sat as a member, he addressed the representatives in a long and eloquent speech on the catholic question, and on his own conduct in the late transactions. Of this speech I regret that the limits of my narrative will allow me only to give a short extract; after stating his own conviction of the equity, if not of the expediency, of the proposed relief, he adds:

"As soon, however, as I perceived the extent and violence of the flame which the discussion of this subject had kindled in Scotland, my ideas concerning the expedience at this juncture of the measure in question, began to alter. For although I did think, and I do still believe, that if the protestants in this country had acquiesced in the repeal as quietly as our brethren in England and Ireland, a fatal blow would have been given to popery in the British dominions; I knew, that in legislation, the sentiments and dispositions of the people for whom laws are made, should be attended to with care. I remembered that one of the wisest men of antiquity declared, that he had framed for his fellow-citizens not the best laws, but the best laws which they could bear. I recollected with reverence, that the divine legislator himself, accommodating his dispensations to the frailty of his subjects, had given the Israelites for a season, *statutes which were not good.* Even the prejudices of the people are, in my opinion, respectable; and an indulgent legislature ought not unnecessarily to run counter to them. It appeared manifestly to be sound policy, in the present temper of the people, to sooth rather than to irritate them; and, however ill-founded their apprehensions might be, some conces-

sion was now requisite, in order to remove them. In every argument against the repeal of the penal laws, what seemed chiefly to alarm my brethren who were averse to it, was the liberty which, as they supposed, was given by the act of last session to popish ecclesiastics to open schools, and take upon them the public instruction of youth. In order to quiet their fears with respect to this, I applied to his majesty's advocate and solicitor-general, and, by their permission, I proposed to a respectable minister and elder of this church, who deservedly possess much credit with the opposers of this repeal, that such provisos should be inserted in the bill which was to be moved in parliament, for restraining the popish clergy in this point, as would obviate every danger apprehended. These gentlemen fairly told me, that if such a proposition had been made more early, they did not doubt that it might have produced good effects; but now matters were gone so far, that they were persuaded nothing less would satisfy the people than a resolution to drop the bill altogether. Persuaded of the truth of what they represented, seeing the alarm spread rapidly in every quarter, and knowing well how imperfectly transactions in this country are understood in the other part of the island, I considered it as my duty to lay before his majesty's servants in London, a fair state of the sentiments of the people in Scotland. My station in the church, I thought, entitled me to take this liberty in a matter purely ecclesiastical. I flattered myself, that my avowed approbation and strenuous support of a measure which had been unhappily so much misunderstood, might give some weight to my representations. I informed them, that the design of extending the repeal of the penal statutes of king William to Scotland, had excited a very general alarm: that the spirit of opposition to this measure spread among the king's most loyal and attached subjects in this country: that nothing would calm and appease them, but the relinquishing all thoughts of such a bill: that the procuring

of the intended relaxation for a handful of catholics, was not an advantage to be put in competition with the imprudence of irritating so great a body of well-affected subjects: that if the measure were persisted in, fatal effects would follow, and no man, how great soever his sagacity might be, could venture to foretell what would be the extent of the danger, and what the violent operations of an incensed populace: that, groundless as the fears of the people might be, it was prudent to quiet them: and that the same wisdom and moderation which had induced government, some years ago, to repeal the act for naturalizing the Jews, in consequence of an alarm as ill-grounded in the southern parts of the island, ought now to make a similar concession, from indulgence to the prejudice of the people on this side of the Tweed.

"Such has been the tenour of my conduct. While I thought a repeal of the penal statutes would produce good effects, I supported it openly: when I foresaw bad consequences from persisting in a measure which I had warmly approved, I preferred the public good to my own private sentiments; I honestly remonstrated against it; and I have the satisfaction to think, that I am the only private person (as far as I know) in Scotland, who applied to those in power, in order to prevent this much-dreaded repeal, which has been represented as the subversion of every sacred right for which our ancestors contended and suffered."

From this discourse it appears that at the very time when the infuriated multitude were meditating the destruction of his house, and, perhaps, of his person, he was laying before the government of his country a fair statement of the sentiments of the Scottish people.

Soon after this discussion Dr. Robertson withdrew from the bustle of public business, to consecrate the remainder of his life to the quiet pursuits of study, and to the pastoral duties of his profession. He carried with him into his retreat the love of his friends, the respect of his opponents, and the esteem of all.

In 1791 he published his last work, a Disquisition concerning the Knowledge which the Ancients had of India, etc. He informs us that the idea of this book was suggested by the perusal of major Rennel's memoir for illustrating his map of Indostan.

Soon after the publication of his Disquisition, his health began to decline, which until then had been better than usually falls to the lot of men of studious and sedentary habits; his disorder was the jaundice, which gradually undermined his constitution, and terminated in a lingering and fatal illness. He had the prospect of approaching death long before him; but he bore the pangs of disorder with manly firmness, endeavoured to sooth the affliction of his desponding family, and prepared for his last hour with the fortitude becoming a virtuous christian. Towards the concluding stage of his malady he removed from Edinburgh to Grange House, where he had the advantage of a purer air, and the pleasure of rural objects and a beautiful landscape, decked with the ornaments of spring. He died on the eleventh of June, 1791, being in his seventy-first year. 1793?

He left a numerous family, which, by his own exertions, he had placed in prosperous circumstances; his eldest son an eminent lawyer at the Scotch bar; two younger sons in the army; his eldest daughter married to the celebrated traveller, Mr. Brydone; and another, the widow of John Russel, esq. clerk to the signet.

In stature Dr. Robertson was rather above the middle size; and his form, though it did not convey the idea of much activity, announced vigour of body and a healthful constitution. In conversation he was firm but mild; his language was as correct as the style of his compositions, but strongly marked by the Scotch accent. Those who had the opportunity of his acquaintance agree in representing him as one who fulfilled all the duties of social life with scrupulous exactness.

# EXTRACTS

FROM

## DR. ROBERTSON'S CORRESPONDENCE.

THE following extracts from letters found among the papers of Dr. Robertson, were first published by Mr. Stewart, from whose life of the historian the principal facts contained in the foregoing pages have been deduced. The high literary eminence of the writers, and the interest of the subjects which they discuss, will, doubtless, be deemed a sufficient reason for adding them to this edition of Dr. Robertson's works.

### DR. ROBERTSON TO LORD HAILES.

Gladsmuir, 22nd Oct. 1753.

SIR,—I intend to employ some of the idle time of this winter in making a more diligent inquiry than ever I have done into that period of Scots History from the death of king James the fifth, to the death of queen Mary. I have the more common histories of that time, such as Buchanan, Spottiswood, and Knox; but there are several collections of papers by Anderson, Jebb, Forbes, and others, which I know not how to come at. I am persuaded you have most of these books in your library, and I flatter myself you will be so good as to allow me the use of them. You know better what books to send me, and what will be necessary to give any light to this part of the history, than I do what to ask, and therefore I leave the particular books to your own choice, which you'll please order to be given to my servant. Whatever you send me shall be used with much care, and returned with great punctuality. I beg you may forgive this trouble. I am, with great respect, etc.

### DR. ROBERTSON TO LORD HAILES.

Gladsmuir, 26th July, 1757.

SIR,—I have now got forward to the year 1660, and as it will be impossible for me to steer through Gowrie's conspiracy without your guidance, I must take advantage of the friendly offer you was pleased to make me, and apply to you for such books and papers as you think to be necessary for my purpose. I

would wish to give an accurate and rational account of the matter, but not very minute. I have in my possession Calderwood's manuscripts and all the common printed histories; but I have neither lord Cromarty's account, nor any other piece particularly relative to the conspiracy. I beg you may supply me with as many as you can, and direct me to any thing you think may be useful. The papers you are pleased to communicate to me, shall be shown to no human creature, and no farther use shall be made of them than you permit. My servant will take great care of whatever books or papers you give him. I need not say how sensible I am of the goodwill with which you are pleased to instruct me in this curious point of history, nor how much I expect to profit by it. I ever am, etc.

### Dr. Robertson to Lord Hailes.

Edinburgh, 8th Nov. 1758.

Sir,—I have taken the liberty to send you inclosed a preface to my book, which I have just now written. I find it very difficult for a man to speak of himself with any decency through three or four pages. Unluckily I have been obliged to write it in the utmost hurry, as Strahan is clamouring for it. I think it was necessary to say all in it that I have said, and yet it looks too like a puff. I send it to you, not only that you may do me the favour to correct any inaccuracies in the composition, but because there is a paragraph in it which I would not presume to publish without your permission, though I have taken care to word it so modestly that a man might have said it of himself. As I must send off the preface by to-morrow's post, I must beg the favour that you will return it with your remarks to-morrow morning. I would wish, if possible, that I had time to show it to Blair. I am, with great respect, etc.

### Dr. Robertson to Lord Hailes.

College, Feb. 10, 1776.

My Lord,—I hope your lordship will forgive me for having deferred so long to return you my best thanks for the very acceptable present which you were pleased to send me. Previous to doing this, I wished to have the satisfaction of perusing the annals again, and the opinion I had formed of

their merit, is in no degree diminished by an attentive review of them in their present dress.

You have given authenticity and order to a period of our history, which has hitherto been destitute of both, and a Scotchman has now the pleasure of being able to pronounce what is true, and what is fabulous, in the early part of our national story. As I have no doubt with respect to the reception which this part of the annals, though perhaps the least interesting, will meet with, I flatter myself that your lordship will go on with the work. Allow me, on the public account, to hope that you have not fixed the accession of James the first as an impassable boundary beyond which you are not to advance. It is, at that period, the most interesting age of our history commences. From thence the regular series of our laws begins. During the reign of the Jameses, many things still require the investigation of such an accurate and patient inquirer as your lordship. I hope that what I have done in my review of that period, will be no restraint on your lordship in entering upon that field. My view of it was a general one, that did not require the minute accuracy of a chronological research; and if you discover either omissions or mistakes in it, (and I dare say you will discover both,) I have no objection to your supplying the one and correcting the other. Your strictures on me will not be made with a hostile hand, and I had much rather that these were made, than be deprived of the advantage that I shall reap from your completing your work. As far as I can judge by the opinion of those with whom I converse, the public wish is, that you should continue your Annals at least to the death of James the fifth. I most heartily join my voice to this general desire, and wish you health to go on with what will be so much for the honour of your country. I am, with great truth and respect, my lord,

Your lordship's most obedient
and most humble servant.

DR. ROBERTSON TO LORD HAILES.

College, March 13th, 1786.

MY LORD,—When I took the liberty of applying to your lordship last week, I unluckily did not advert to the hurry of business during the last week of the session. In compli-

ance with your request, I shall, without preamble or apology, mention what induced me to trouble your lordship.

I am now in the twenty-eighth year of my authorship, and the proprietors of the History of Scotland purpose to end the second fourteen years of their copyright splendidly, by publishing two new editions of that book, one in quarto, and another in octavo. This has induced me to make a general review of the whole work, and to avail myself both of the remarks of my friends, and the strictures of those who differ from me in opinion. I mean not to take the field as a controversial writer, or to state myself in opposition to any antagonist. Wherever I am satisfied that I have fallen into error, I shall quietly, and without reluctance, correct it. Wherever I think my sentiments right and well-established, they shall stand. In some few places, I shall illustrate what I have written, by materials and facts which I have discovered since the first publication of my book. These additions will not, I hope, be very bulky; but they will contribute, as I imagine, to throw light on several events which have been mistaken, or misrepresented. I shall take care, on account of the purchasers of former editions, that all the additions and alterations of any importance shall be published separately, both in quarto and octavo.

As I know how thoroughly your lordship is acquainted with every transaction in queen Mary's reign, and with how much accuracy you are accustomed to examine historical facts, it was my intention to have requested of you, that if any error or omission in my book had occurred to you in the perusal of it, you would be so obliging as to communicate your sentiments to me. I shall certainly receive such communications with much attention and gratitude. You have set me right with respect to the act of the nineteenth of April, 1567; but I think that I can satisfy your lordship that it was esteemed in that age, and was really, a concession of greater importance to the reformed than you seem to apprehend. I beg leave to desire that, if you have any remarks to communicate, they may be sent soon, as the booksellers are impatient. I trust your lordship will pardon the liberty I have taken. I have the honour to be, my lord,

Your most obedient and most humble servant.

DR. ROBERTSON TO LORD HAILES.

College of Edinburgh, March 20, 1786.

MY LORD,—I consider it as an unfortunate accident for me, that your lordship happened to be so much preoccupied at the time when I took the liberty of applying to you. I return you thanks for the communication of your notes on the acts of parliament. Besides the entertainment and instruction I received from the perusal of them, I found some things of use to me, and I have availed myself of the permission you was pleased to give me.

I mentioned to your lordship that I differed little from you about the effect of the act, April the nineteenth, 1567. I inclose a copy both of the text, corrected as I intended to publish it in the new edition, and of a note which I shall add to explain my idea of the import of the act. I request of your lordship to peruse it, and if in any part it meets not with your approbation, be so good as to let me know. Please to return it as soon as you can, that I may communicate it, and any other additions and alterations, to Mr. Davidson, who has promised to revise them.

In 1776 your lordship published the Secret Correspondence of sir R. Cecil with James the sixth. I have not a copy of it, and have been unsuccessful in my application for one to some of my friends. If you have a copy, and will be so good as to allow me the use of it, I shall return it with the greatest care, as I do herewith the notes I received from your lordship. I have attended to the notes in Bannatyne's poems. I have the Hamilton manuscripts in three volumes folio. They are curious.

I have the honour to be, etc.

MR. HUME TO DR. ROBERTSON.

London, Lisle-street, 18th Nov. 1758.

MY DEAR SIR,—According to your permission I have always got your corrected sheets from Strahan; and am glad to find, that we shall agree in almost all the material parts of our history. Your resolution to assert the authenticity of Mary's letter to Bothwell, with the consequence which must necessarily follow, removes the chief point in which, I appre-

hend, we shall differ. There remain, however, two other points where I have not the good fortune to agree with you, viz. the violation of the treaty of Perth by Mary of Guise, and the innocency of Mary with regard to Babington's conspiracy: but as I had written notes upon these passages, the public must judge between us. Only allow me to say, that even if you be in the right with regard to the last, (of which, notwithstanding my deference to your authority, I cannot perceive the least appearance,) you are certainly too short and abrupt in handling it. I believe you go contrary to received opinion; and the point was of consequence enough to merit a note or a dissertation.

There is still another point in which we differ, and which reduced me to great perplexity. You told me, that all historians had been mistaken with regard to James's behaviour on his mother's trial and execution; that he was not really the pious son he pretended to be; that the appearances which deceived the world, were put on at the solicitation of the French ambassador, Courcelles: and that I should find all this proved by a manuscript of Dr. Campbell's. I accordingly spoke of the matter to Dr. Campbell, who confirmed what you said, with many additions and amplifications. I desired to have the manuscript, which he sent me. But great was my surprise, when I found the contrary in every page, many praises bestowed on the king's piety both by Courcelles and the French court; his real grief and resentment painted in the strongest colours; resolutions even taken by him to form an alliance with Philip of Spain, in order to get revenge; repeated advices given him by Courcelles and the French ministers, rather to conceal his resentment till a proper opportunity offered of taking vengeance. What most displeased me in this affair was, that as I thought myself obliged to follow the ordinary tenour of the printed historian, while you appealed to manuscript, it would be necessary for me to appeal to the same manuscripts to give extracts of them, and to oppose your conclusions. Though I know that I could execute this matter in a friendly and obliging manner for you, yet I own that I was very uneasy at finding myself under a necessity of observing any thing which might appear a mistake in your narration. But there came to me a man this morning, who, as I fancy, gave me the key of the difficulty,

but without freeing me from my perplexity. This was a man commonly employed by Millar and Strahan to decipher manuscripts. He brought me a letter of yours to Strahan, where you desired him to apply to me in order to point out the passages proper to be inserted in your Appendix, and proper to prove the assertion of your text. You add there, these letters are in the French language. I immediately concluded that you had not read the manuscripts, but had taken it on Mr. Campbell's word: for the letters are in English, translated by I know not whom from the French. I could do nothing on this occasion but desire Strahan to stop the press in printing the Appendix, and stay till I wrote to you. If I could persuade you to change the narration of the text, that sheet could be easily cancelled, and an Appendix formed proper to confirm an opposite account. If you still persist in your opinion, somebody else whom you trusted might be employed to find the proper passages; for I cannot find them.

There is only one passage which looks like your opinion, and which I shall transcribe to you. It is a relation of what passed between James and Courcelles upon the first rumour of the discovery of Babington's conspiracy, before James apprehended his mother to be in any danger. "The king said he loved his mother as much as nature and duty bound; but he could not love her . . . : for he knew well she bore him no more good-will than she did to the queen of England: that he had seen with his own eyes, before Foulnaye's departure out of Scotland, a letter to him, whereby she sent him word, that if he would not conform himself to her will, and follow her counsels and advice, that he should content himself with the lordship of Darnley, which was all that appertained unto him by his father: farther, that he had seen other letters under her own hand, confirming her evil towards him: besides, that she had oftentimes gone about to make a regency in Scotland, and to put him besides the crown; that it behoved him to think of his own affairs, and that he thought the queen of England would attempt nothing against her person without making him acquainted: that his mother was henceforward to carry herself both towards him and the queen of England after another sort, without bending any more upon such practices and intelligences as she had in former times: that he hoped to set such persons about her as" (Here the

manuscript is not farther legible.) But though such were James's sentiments before he apprehended his mother to be in danger, he adopted a directly opposite conduct afterwards, as I told you. I can only express my wishes that you may see reason to conform your narrative in vol. ii. p. 139, 140, to this account, or omit that Appendix altogether, or find some other person who can better execute your intentions than it is possible for me to do.

### Mr. Hume to Dr. Robertson.

25th January, 1759.

My dear Sir,—What I wrote you with regard to Mary's concurrence in the conspiracy against queen Elizabeth, was from the printed histories of papers; and nothing ever appeared to me more evident. Your chief objection, I see, is derived from one circumstance, that neither the secretaries nor conspirators were confronted with Mary; but you must consider that the law did not then require this confrontation, and it was in no case the practice. The crown could not well grant it in one case without granting it in all, because the refusing of it would then have been a strong presumption of innocence in the prisoner. Yet as Mary's was an extraordinary case, Elizabeth was willing to have granted it. I find in Forbes's manuscript papers, sent me by lord Royston, a letter of hers to Burleigh and Walsingham, wherein she tells them, that, if they thought proper, they might carry down the two secretaries to Fotheringay, in order to confront them with her. But they reply, that they think it needless.

But I am now sorry to tell you, that by Murden's State Papers, which are printed, the matter is put beyond all question. I got these papers during the holidays by Dr. Birch's means; and as soon as I had read them, I ran to Millar, and desired him very earnestly to stop the publication of your history till I should write to you, and give you an opportunity of correcting a mistake of so great moment; but he absolutely refused compliance. He said that your book was now finished, that the copies would be shipped for Scotland in two days, that the whole narration of Mary's trial must be wrote over again; that this would require time, and it was uncertain whether the new narrative could be brought within the same

compass with the old; that this change, he said, would require the cancelling a great many sheets; that there were scattered passages through the volumes founded on your theory, and these must also be all cancelled, and that this change required the new printing of a great part of the edition. For these reasons, which do not want force, he refused, after deliberation, to stop his publication, and I was obliged to acquiesce. Your best apology at present is, that you could not possibly see the grounds of Mary's guilt, and every equitable person will excuse you.

I am sorry, on many accounts, that you did not see this collection of Murden's. Among other curiosities, there are several instructions to H. Killigrew, dated the tenth of September, 1572. He was then sent into Scotland. It there appears, that the regents, Murray and Lennox, had desired Mary to be put into their hands, in order to try her and put her to death. Elizabeth there offers to regent Mar, to deliver her up, provided good security were given, "that she should receive that she hath deserved there by order of justice, whereby no further peril should ensue by her escaping, or by setting her up again." It is probable Mar refused compliance, for no steps were taken towards it.

I am nearly printed out, and shall be sure to send you a copy by the stagecoach, or some other conveyance. I beg of you to make remarks as you go along. It would have been much better had we communicated before printing, which was always my desire, and was most suitable to the friendship which always did, and I hope always will, subsist between us. I speak this chiefly on my own account. For though I had the perusal of your sheets before I printed, I was not able to derive sufficient benefits from them, or indeed to make any alteration by their assistance. There still remain, I fear, many errors, of which you could have convinced me, if we had canvassed the matter in conversation. Perhaps I might also have been sometimes no less fortunate with you. Particularly I could almost undertake to convince you, that the earl of Murray's conduct with the duke of Norfolk was no way dishonourable.

I have seen a copy of your history with Charles Stanhope. Lord Willoughby, who had been there reading some passages of it, said, that you was certainly mistaken with regard to the

act passed in the last parliament of Mary, settling the reformation. He said that the act of parliament the first of James was no proof of it: for though that statute contains a statute where the queen's name was employed, yet that is always the case with the bills brought into parliament, even though they receive not the royal assent, nor perhaps pass the houses. I wish this be not the case, considering the testimony of Buchanan, Calderwood, and Spotiswood. Besides, if the bill had before received the royal assent, what necessity of repeating it, or passing it again? Mary's title was more undisputable than James's.

Dr. Blair tells me, that prince Edward is reading you, and is charmed. I hear the same of the princess and prince of Wales. But what will really give you pleasure, I lent my copy to Elliot during the holidays, who thinks it one of the finest performances he ever read; and though he expected much, he finds more. He remarked, however, (which is also my opinion,) that in the beginning, before your pen was sufficiently accustomed to the historic style, you employed too many digressions and reflections. This was also somewhat my own case, which I have corrected in my new edition.

Millar was proposing to publish me about the middle of March, but I shall communicate to him your desire, even though I think it entirely groundless, as you will likewise think after you have read my volume. He has very needlessly delayed your publication till the first of February, at the desire of the Edinburgh booksellers, who could no way be affected by a publication in London. I was exceedingly sorry not to be able to comply with your desire, when you expressed your wish, that I should not write this period. I could not write downward. For when you find occasion, by new discoveries, to correct your opinion with regard to facts which passed in queen Elizabeth's days; who, that has not the best opportunities of informing himself, could venture to relate any recent transactions? I must therefore have abandoned altogether this scheme of the English history, in which I had proceeded so far, if I had not acted as I did. You will see what light and force this history of the Tudors bestows on that of the Stewarts. Had I been prudent, I should have begun with it. I care not to boast, but I will venture to say, that I have now effectually stopped the mouths of all those villanous whigs who railed at me.

You are so kind as to ask me about my coming down. I can yet answer nothing. I have the strangest reluctance to change places. I lived several years happy with my brother at Ninewells, and had not his marriage changed a little the state of the family, I believe I should have lived and died there. I used every expedient to evade this journey to London, yet it is now uncertain whether I shall ever leave it. I have had some invitations, and some intentions of taking a trip to Paris; but I believe it will be safer for me not to go thither, for I might probably settle there for life. No one was ever endowed with so great a portion of the 'vis inertiæ.' But as I live here very privately, and avoid as much as possible (and it is easily possible) all connexions with the great, I believe I should be better at Edinburgh. * * * *

MR. HUME TO DR. ROBERTSON.

London, 8th February, 1759.

* * As to the Age of Leo the Tenth, it was Warton himself who intended to write it; but he has not wrote it, and probably never will. If I understand your hint, I should conjecture, that you had some thoughts of taking up the subject. But how can you acquire knowledge of the great works of sculpture, architecture, and painting, by which that age was chiefly distinguished? Are you versed in all the anecdotes of the Italian literature? These questions I heard proposed in a company of literati, when I inquired concerning this design of Warton. They applied their remarks to that gentleman, who yet, they say, has travelled. I wish they do not all of them fall more fully on you. However you must not be idle. May I venture to suggest to you the ancient history, particularly that of Greece? I think Rollin's success might encourage you, nor need you be the least intimidated by his merit. That author has no other merit but a certain facility and sweetness of narration, but has loaded his work with fifty puerilities.

Our friend, Wedderburn, is advancing with great strides in his profession. * * * * * * * *

I desire my compliments to lord Elibank. I hope his lordship has forgot his vow of answering us, and of washing queen Mary white. I am afraid that is impossible; but his lordship is well qualified to gild her.

I am, etc.

### Mr. Hume to Dr. Robertson.

* * * * * *

I forgot to tell you, that two days ago I was in the house of commons, where an English gentleman came to me, and told me, that he had lately sent to a grocer's shop for a pound of raisins, which he received wrapt up in a paper that he showed me. How would you have turned pale at the sight! It was a leaf of your history, and the very character of queen Elizabeth, which you had laboured so finely, little thinking it would so soon come to so disgraceful an end. I happened a little after to see Millar, and told him the story; consulting him, to be sure, on the fate of his new boasted historian of whom he was so fond. But the story proves more serious than I apprehended. For he told Strahan, who thence suspects villany among his prentices and journeymen; and has sent me very earnestly to know the gentleman's name, that he may find out the grocer, and trace the matter to the bottom. In vain did I remonstrate that this was sooner or later the fate of all authors, 'serius, ocyus, sors exitura.' He will not be satisfied; and begs me to keep my jokes for another occasion. But that I am resolved not to do; and, therefore, being repulsed by his passion and seriousness, I direct them against you.

Next week I am published; and then I expect a constant comparison will be made between Dr. Robertson and Mr. Hume. I shall tell you in a few weeks which of these heroes is likely to prevail. Meanwhile, I can inform both of them for their comforts, that their combat is not likely to make half so much noise as that between Broughton and the one-eyed coachman. 'Vanitas vanitatum, atque omnia vanitas.' I shall still except, however, the friendship and good opinion of worthy men.

I am, etc.

### Mr. Hume to Dr. Robertson.

London, 12th March, 1759.

My dear Sir,—I believe I mentioned to you, a French gentleman, monsieur Helvetius, whose book, De l'Esprit, was making a great noise in Europe. He is a very fine genius, and has the character of a very worthy man. My name is mentioned several times in his work with marks of

esteem; and he has made me an offer, if I would translate his work into English, to translate anew all my philosophical writings into French. He says, that none of them are well done, except that on the Natural History of Religion, by monsieur Matigny, a counsellor of state. He added, that the abbé Prévot, celebrated for the Mémoires d'un Homme d'Honneur, and other entertaining books, was just now translating my history. This account of Helvetius engaged me to send him over the new editions of all my writings; and I have added your history, which, I told him, was here published with great applause; adding, that the subject was interesting, and the execution masterly; and that it was probable some man of letters at Paris may think that a translation of it would be agreeable to the public. I thought that this was the best method of executing your intentions. I could not expect that any Frenchman here would be equal to the work. There is one Carracioli, who came to me and spoke of translating my new volume of history; but, as he also mentioned his intentions of translating Smollett, I gave him no encouragement to proceed. The same reason would make me averse to see you in his hands.

But though I have given this character of your work to monsieur Helvetius, I warn you, that this is the last time that, either to Frenchman or Englishman, I shall ever speak the least good of it. A plague take you! Here I sat near the historical summit of Parnassus, immediately under Dr. Smollett; and you have the impudence to squeeze yourself by me, and place yourself directly under his feet. Do you imagine that this can be agreeable to me? And must not I be guilty of great simplicity to contribute by my endeavours to your thrusting me out of my place in Paris as well as at London? But I give you warning that you will find the matter somewhat difficult, at least in the former city. A friend of mine, who is there, writes home to his father the strangest accounts on that head; which my modesty will not permit me to repeat, but which it allowed me very deliciously to swallow.

I have got a good reason or pretence for excusing me to monsieur Helvetius with regard to the translating his work. A translation of it was previously advertised here.

I remain, etc.

### Mr. Hume to Dr. Robertson.

London, 29th May, 1759.

My dear Sir,—I had a letter from Helvetius lately, wrote before your book arrived at Paris. He tells me that the abbé Prévot, who had just finished the translation of my history, paroit très-disposé à traduire l'Histoire d'Ecosse que vient de faire monsieur Robertson. If he be engaged by my persuasion, I shall have the satisfaction of doing you a real credit and pleasure: for he is one of the best pens in Paris.

I looked with great impatience in your new edition for the note you seemed to intend with regard to the breach of the capitulation of Perth; and was much disappointed at missing it. I own that I am very curious on that head. I cannot so much as imagine a colour upon which their accusations could possibly be founded. The articles were only two; indemnity to the inhabitants, and the exclusion of French soldiers—now that Scotch national troops were not Frenchmen and foreigners seems pretty apparent: and both Knox and the manifesto of the congregation acquit the queen-regent of any breach of the first article, as I had observed in my note to page 422. This makes me suspect that some facts have escaped me; and I beg you to indulge my curiosity by informing me of them.

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Our friend Smith[a] is very successful here, and Gerard[b] is very well received. The Epigoniad I cannot so much promise for, though I have done all in my power to forward it, particularly by writing a letter to the Critical Review, which you may peruse. I find, however, some good judges profess a great esteem for it, but 'habent et sua fata libelli:' however, if you want a little flattery to the author, (which I own is very refreshing to an author,) you may tell him that lord Chesterfield said to me he was a great poet. I imagine that Wilkie will be very much elevated by praise from an English earl, and a knight of the garter, and an ambassador, and a secretary of state, and a man of so great reputation. For I observe that the greatest rustics are commonly most affected with such circumstances.

Ferguson's book[c] has a great deal of genius and fine writing, and will appear in time.

[a] Theory of Moral Sentiments. [b] Essay on Taste.

[c] Essay on the History of Civil Society.

FROM DR. BIRCH TO DR. ROBERTSON.

London, Feb. 8th, 1759.

DEAR SIR,—I have just read over the second volume of your excellent history; and the satisfaction which I have received from the perusal of it, and the gratitude which I owe you for the honour done me in it, as well as for so valuable a present, will not permit me to lose one post in returning you my sincerest acknowledgments. My lord Royston likewise desires me to transmit to you his thanks and compliments in the strongest terms.

Though your work has been scarce a fortnight in the hands of the public, I can already inform you, upon the authority of the best judges, that the spirit and elegance of the composition, and the candour, moderation, and humanity which run through it, will secure you the general approbation both of the present age and posterity, and raise the character of our country in a species of writing, in which, of all others, it has been most defective.

If the second volume of the State Papers of lord Burghley, published since Christmas here, had appeared before your history had been finished, it would have furnished you with reasons for entertaining a less favourable opinion of Mary queen of Scots in one or two points, than you seem at present possessed of. The principal is, with regard to her last intrigues and correspondences, which were the immediate cause of her death. And I could wish you had likewise seen a manuscript account of her trial in lord Royston's possession. This account is much fuller than Camden's, whose history is justly to be suspected in every thing relating to her; or than any other that has yet seen the light. It contains so ample a state of the evidence produced of her guilt, as, I think, leaves no doubt of it; notwithstanding that the witnesses were not confronted with her; a manner of proceeding, which, though certainly due to every person accused, was not usual either before her time or long after.

You conclude in the note, vol. i. p. 307, in favour of her innocence from any criminal intrigue with Rizzio, from the silence of Randolph on that head. But I apprehend, that in opposition to this allegation you may be urged with the joint letter of that gentleman and the earl of Bedford of the twenty-seventh of March, 1566, in your Appendix, No. xv. p. 22.

I desire you to make my compliments acceptable to sir David Dalrymple and Mr. Davidson, and believe me to be, etc.

THOMAS BIRCH.

FROM SIR GILBERT ELLIOT TO DR. ROBERTSON.

Admiralty, January 20th, 1759.

DEAR SIR,—Millar has just sent me the History of Scotland. I cannot imagine why he should delay the publication so long as the first of February, for I well know that the printing has been completed a great while. You could have sent me no present which on its own account I should have esteemed so much; but you have greatly enhanced its value, by allowing me to accept it as a memorial and testimony of a friendship which I have long cultivated with equal satisfaction and sincerity. I am no stranger to your book, though your copy is but just put into my hands: David Hume so far indulged my impatience, as to allow me to carry to the country, during the holidays, the loose sheets which he happened to have by him. In that condition I read it quite through with the greatest satisfaction, and in much less time than I ever employed on any portion of history of the same length. I had certainly neither leisure nor inclination to exercise the function of a critic; carried along with the stream of the narration, I only felt, when I came to the conclusion, that you had greatly exceeded the expectations I had formed, though I do assure you these were not a little sanguine. If upon a more deliberate perusal, I discover any blemish, I shall point it out without any scruple: at present, it seems to me that you have rendered the period you treat of as interesting as any part of our British story; the views you open of policy, manners, and religion, are ingenious, solid, and deep. Your work will certainly be ranked in the highest historical class; and for my own part, I think it besides, a composition of uncommon genius and eloquence. I was afraid you might have been interrupted by the reformation, but I find it much otherwise; you treat it with great propriety, and in my opinion with sufficient freedom. No revolution, whether civil or religious, can be accomplished without that degree of ardour and passion, which, in a later age, will be matter of ridicule to men who do not feel the occasion, and enter into the spirit of the

times. But I must not get into dissertations;—I hope you will ever believe me, with great regard,

Dear sir,

Your most obedient and faithful servant,

GILB. ELLIOT.

FROM BARON D'HOLBACH TO DR. ROBERTSON.

Paris, the 30th of May, 1768.

SIR,—I received but a few days ago the favour of your letter, sent to me by Mr. Andrew Stuart: I am very proud of being instrumental in contributing to the translation of the valuable work you are going to publish. The excellent work you have published already is a sure sign of the reception your History of Charles the fifth will meet with in the continent; such an interesting subject deserves undoubtedly the attention of all Europe. You are very much in the right of being afraid of the hackney translators of Holland and Paris; accordingly I thought it my duty to find out an able hand capable of answering your desire. M. Suard, a gentleman well known for his style in French, and his knowledge in the English language, has, at my request, undertaken the translation of your valuable book; I know nobody in this country capable of performing better such a grand design. Consequently the best way will be for your bookseller, as soon as he publishes one sheet, to send it immediately à monsieur M. Suard, directeur de la Gazette de France, rue St. Roch à Paris. By means of this the sheets of your book will be translated as soon as they come from the press, provided the bookseller of London is very strict in not showing the same favour to any other man upon the continent.

I have the honour to be,

With great consideration,

Sir,

Your most obedient and humble servant,

D'HOLBACH.

FROM MR. HUME TO DR. ROBERTSON.

Paris, 1st December, 1763.

DEAR ROBERTSON,—Among other agreeable circumstances, which attend me at Paris, I must mention that of having a

lady for a translator, a woman of merit, the widow of an advocate. She was before very poor, and known but to few; but this work has got her reputation, and procured her a pension from the court, which sets her at her ease. She tells me, that she has got a habit of industry; and would continue, if I could point out to her any other English book she could undertake, without running the risque of being anticipated by any other translator. Your History of Scotland is translated, and is in the press: but I recommended to her your History of Charles the fifth, and promised to write to you, in order to know when it would be printed, and to desire you to send over the sheets from London as they came from the press; I should put them into her hands, and she would by that means have the start of every other translator. My two volumes last published are at present in the press. She has a very easy natural style; sometimes she mistakes the sense; but I now correct her manuscript; and should be happy to render you the same service, if my leisure permit me, as I hope it will. Do you ask me about my course of life? I can only say, that I eat nothing but ambrosia, drink nothing but nectar, breathe nothing but incense, and tread on nothing but flowers. Every man I meet, and still more every lady, would think they were wanting in the most indispensable duty if they did not make to me a long and elaborate harangue in my praise. What happened last week, when I had the honour of being presented to the D——n's children at Versailles, is one of the most curious scenes I ever yet passed through. The duc de B. the eldest, a boy of ten years old, stepped forth and told me how many friends and admirers I had in this country, and that he reckoned himself in the number from the pleasure he had received from the reading of many passages in my works. When he had finished, his brother, the count de P. who is two years younger, began his discourse, and informed me that I had been long and impatiently expected in France; and that he himself expected soon to have great satisfaction from the reading of my fine history. But what is more curious; when I was carried thence to the count d'A. who is but four years of age, I heard him mumble something, which, though he had forgot in the way, I conjectured from some scattered words to have been also a panegyric dictated to him. Nothing could more sur-

prise my friends, the Parisian philosophers, than this incident

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* * * * It is conjectured that this honour was payed me by express order from the D. who, indeed, is not, on any occasion, sparing in my praise.

All this attention and panegyric was at first oppressive to me; but now it sits more easy. I have recovered, in some measure, the use of the language, and am falling into friendships, which are very agreeable; much more so than silly, distant admiration. They now begin to banter me, and tell droll stories of me, which they have either observed themselves, or have heard from others; so that you see I am beginning to be at home. It is probable that this place will be long my home. I feel little inclination to the factious barbarians of London; and have ever desired to remain in the place where I am planted. How much more so, when it is the best place in the world? I could here live in great abundance on the half of my income; for there is no place where money is so little requisite to a man who is distinguished either by his birth or by personal qualities. I could run out, you see, in a panegyric on the people; but you would suspect, that this was a mutual convention between us. However, I cannot forbear observing, on what a different footing learning and the learned are here, from what they are among the factious barbarians above mentioned.

I have here met with a prodigious historical curiosity, the Memoirs of King James the second, in fourteen volumes, all wrote with his own hand, and kept in the Scots college. I have looked into it, and have made great discoveries. It will be all communicated to me; and I have had an offer of access to the secretary of state's office, if I want to know the despatches of any French minister that resided in London. But these matters are much out of my head. I beg of you to visit lord Marischal, who will be pleased with your company. I have little paper remaining and less time; and therefore conclude abruptly by assuring you that I am,

Dear doctor,

Yours sincerely,

DAVID HUME.

FROM MR. HUME TO DR. ROBERTSON.

London, 19th March, 1767.

MY DEAR SIR,—You do extremely right in applying to me wherever it is the least likely I can serve you or any of your friends. I consulted immediately with general Conway, who told me, as I suspected, that the chaplains to forts and garrisons were appointed by the war-office, and did not belong to his department. Unhappily I have but a slight acquaintance with lord Barrington, and cannot venture to ask him any favour; but I shall call on Pryce Campbell, though not of my acquaintance, and shall inquire of him the canals through which this affair may be conducted: perhaps it may lie in my power to facilitate it by some means or other.

I shall endeavour to find out the unhappy philosopher you mention, though it will be difficult for me to do him any service. He is an ingenious man, but unfortunate in his conduct, particularly in the early part of his life. The world is so cruel as never to overlook those flaws; and nothing but hypocrisy can fully cover them from observation. There is not so effectual a scourer of reputations in the world. I wish that I had never parted with that Lixivium, in case I should at any future time have occasion for it.

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* * A few days before my arrival in London, Mr. Davenport had carried to Mr. Conway a letter of Rousseau's, in which that philosopher says, that he had never meant to refuse the king's bounty, that he would be proud of accepting it, but that he would owe it entirely to his majesty's generosity and that of his ministers, and would refuse it if it came through any other canal whatsoever, even that of Mr. Davenport. Mr. Davenport then addressed himself to Mr. Conway, and asked whether it was not possible to recover what this man's madness had thrown away? The secretary replied, that I should be in London in a few days, and that he would take no steps in the affair but at my desire and with my approbation. When the matter was proposed to me, I exhorted the general to do this act of charity to a man of genius, however wild and extravagant. The king, when applied to, said, that since the pension had once been promised, it should be granted, notwithstanding all that had passed in the interval. And thus the affair is happily

finished, unless some new extravagance come across the philosopher, and engage him to reject what he has anew applied for. If he knew my situation with general Conway he probably would: for he must then conjecture that the affair could not be done without my consent.

Ferguson's book goes on here with great success. A few days ago I saw Mrs. Montague, who has just finished it with great pleasure: I mean, she was sorry to finish it, but had read it with great pleasure. I asked her, whether she was satisfied with the style? whether it did not savour somewhat of the country? Oh yes, said she, a great deal: it seems almost impossible that any one could write such a style except a Scotsman.

I find you prognosticate a very short date to my administration: I really believe that few (but not evil) will be my days. My absence will not probably allow my claret time to ripen, much less to sour. However that may be, I hope to drink out the remainder of it with you in mirth and jollity. I am sincerely yours, usque ad aras,

DAVID HUME.

MR. GIBBON TO DR. ROBERTSON.

Bentinck-street, Nov. the 3rd, 1779.

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WHEN I express my strong hope that you will visit London next spring, I must acknowledge that it is of the most interesting kind. Besides the pleasure which I shall enjoy in your society and conversation, I cherish the expectation of deriving much benefit from your candid and friendly criticism. The remainder of my first period of the Decline and Fall, etc. which will end with the ruin of the western empire, is already very far advanced; but the subject has already grown so much under my hands, that it will form a second and third volume in quarto, which will probably go to the press in the course of the ensuing summer. Perhaps you have seen in the papers, that I was appointed some time ago one of the lords of trade; but I believe you are enough acquainted with the country to judge, that the business of my new office has not much interrupted the progress of my studies. The attendance in parlia-

ment is indeed more laborious; I apprehend a rough session, and I fear that a black cloud is gathering in Ireland.

Be so good as to present my sincere compliments to Mr. Smith, Mr. Ferguson, and, if he should still be with you, to Dr. Gillies, for whose acquaintance I esteem myself much indebted to you. I have often considered, with some sort of envy, the valuable society which you possess in so narrow a compass.

I am, dear sir, with the highest regard,

Most faithfully yours,

E. GIBBON.

MR. GIBBON TO DR. ROBERTSON.

London, September 1, 1783.

DEAR SIR,—Your candid and friendly interpretation will ascribe to business, to study, to pleasure, to constitutional indolence, or to any other venial cause, the guilt of neglecting so valuable a correspondent as yourself. I should have thanked you for the opportunities which you have afforded me of forming an acquaintance with several men of merit who deserve your friendship, and whose character and conversation suggest a very pleasing idea of the society which you enjoy at Edinburgh. I must at the same time lament, that the hurry of a London life has not allowed me to obtain so much as I could have wished, of their company, and must have given them an unfavourable opinion of my hospitality, unless they have weighed with indulgence the various obstacles of time and place. Mr. Stewart I had not even the pleasure of seeing; he passed through this city in his way to Paris, while I was confined with a painful fit of the gout, and in the short interval of his stay, the hours of meeting, which were mutually proposed, could not be made to agree with our respective engagements. Mr. Dalzel, who is undoubtedly a modest and learned man, I have had the pleasure of seeing; but his arrival has unluckily fallen on a time of year, and a particular year, in which I have been very little in town. I should rejoice if I could repay these losses by a visit to Edinburgh, a more tranquil scene, to which yourself, and our friend Mr. Adam Smith, would powerfully attract me.

But this project, which, in a leisure hour, has often amused my fancy, must now be resigned, or must be postponed, at least, to a very distant period. In a very few days (before I could receive the favour of an answer) I shall begin my journey to Lausanne in Switzerland, where I shall fix my residence, in a delightful situation, with a dear and excellent friend of that country; still mindful of my British friends, but renouncing, without reluctance, the tumult of parliament, the hopes and fears, the prejudices and passions of political life, to which my nature has always been averse. Our noble friend, lord Loughborough, has endeavoured to divert me from this resolution; he rises every day in dignity and reputation; and if the means of patronage had not been so strangely reduced by our modern reformers, I am persuaded his constant and liberal kindness would more than satisfy the moderate desires of a philosopher. What I cannot hope for from the favour of ministers, I must patiently expect from the course of nature; and this exile, which I do not view in a very gloomy light, will be terminated in due time, by the deaths of aged ladies, whose inheritance will place me in an easy and even affluent situation; but these particulars are only designed for the ear of friendship.

I have already despatched to Lausanne, two immense cases of books, the tools of my historical manufacture; others I shall find on the spot; and that country is not destitute of public and private libraries, which will be freely opened for the use of a man of letters. The tranquil leisure which I shall enjoy, will be partly employed in the prosecution of my history; but although my diligence will be quickened by the prospect of returning to England, to publish the last volumes (three, I am afraid) of this laborious work, yet I shall proceed with cautious steps to compose and to correct, and the dryness of my undertaking will be relieved by mixture of more elegant and classical studies, more especially of the Greek authors. Such good company will, I am sure, be pleasant to the historian, and I am inclined to believe that it will be beneficial to the work itself. I have been lately much flattered with the praise of Dr. Blair, and a censure of the abbé de Mably; both of them are precisely the men from whom I could wish to obtain praise and censure, and both these gratifications I have the pleasure of

sharing with yourself. The abbé appears to hate, and affects to despise, every writer of his own times, who has been well received by the public; and Dr. Blair, who is a master in one species of composition, has displayed, on every subject, the warmest feeling and the most accurate judgment. I will frankly own that my pride is elated, as often as I find myself ranked in the triumvirate of British historians of the present age; and though I feel myself the Lepidus, I contemplate with pleasure the superiority of my colleagues. Will you be so good as to assure Dr. A. Smith of my regard and attachment. I consider myself as writing to both, and will not fix him for a separate answer. My direction is, A monsieur, monsieur Gibbon à Lausanne en Suisse. I shall often plume myself on the friendship of Dr. Robertson, but must I tell foreigners, that while the meaner heroes fight, Achilles has retired from war?

I am, my dear sir,

Most affectionately yours,

E. GIBBON.

FROM MR. GIBBON TO DR. ROBERTSON.

Lord Sheffield's, Downing-street,
March 26, 1788.

DEAR SIR,—An error in your direction (to Wimpole-street, where I never had an house) delayed some time the delivery of your very obliging letter, but that delay is not sufficient to excuse me for not taking an earlier notice of it. Perhaps the number of minute but indispensable cares that seem to multiply before the hour of publication, may prove a better apology, especially with a friend who has himself passed through the same labours of the same consummation. The important day is now fixed to the eighth of May, and it was chosen by Cadell, as it coincides with the end of the fifty-first year of the author's age. That honest and liberal bookseller has invited me to celebrate the double festival, by a dinner at his house. Some of our common friends will be present, but we shall all lament your absence, and that of Dr. Adam Smith; (whose health and welfare will always be most interesting to me;) and it gives me real con-

cern that the time of your visits to the metropolis has not agreed with my transient residence in my native country. I am grateful for the opportunity with which you furnish me of again perusing your works in their most improved state; and I have desired Cadell to despatch, for the use of my two Edinburgh friends, two copies of the last three volumes of my history. Whatever may be the inconstancy of taste or fashion, a rational lover of fame may be satisfied if he deserves and obtains your approbation. The praise which has ever been the most flattering to my ear is, to find my name associated with the names of Robertson and Hume; and provided I can maintain my place in the triumvirate, I am indifferent at what distance I am ranked below my companions and masters.

With regard to my present work, I am inclined to believe that it surpasses in variety and entertainment at least the second and third volumes. A long and eventful period is compressed into a smaller space, and the new barbarians, who now assault and subvert the Roman empire, enjoy the advantage of speaking their own language, and relating their own exploits.

After the publication of these last volumes, which extend to the siege of Constantinople, and comprise the ruins of ancient Rome, I shall retire (in about two months) to Lausanne, and my friends will be pleased to hear that I enjoy in that retreat, as much repose, and even happiness, as is consistent, perhaps, with the human condition. At proper intervals, I hope to repeat my visits to England; but no change of circumstance or situation will probably tempt me to desert my Swiss residence, which unites almost every advantage that riches can give, or fancy desire. With regard to my future literary plans, I can add nothing to what you will soon read in my preface. But an hour's conversation with you, would allow me to explain some visionary designs which sometimes float in my mind; and, if I should ever form any serious resolution of labours, I would previously, though by the imperfect mode of a letter, consult you on the propriety and merit of any new undertakings. I am, with great regard,

Dear sir,

Most faithfully yours,

E. GIBBON.

FROM MAJOR RENNELL TO DR. ROBERTSON.

London, 2nd July, 1791.

* * * AFTER reading your book twice, I may with truth say, that I was never more instructed or amused than by the perusal of it; for although a great part of its subject had long been revolving in my mind, yet I had not been able to concentrate the matter in the manner you have done, or to make the different parts bear on each other.

The subject of the Appendix was what interested the public greatly; and was only to be acquired (if at all) by the study or perusal of a great number of different tracts; a task not to be accomplished by ordinary readers.

It gives me unfeigned pleasure to have been the instrument of suggesting such a task to you; and I shall reflect with pleasure, during my life, that I shall travel down to posterity with you; you, in your place, in the *great road* of history; whilst I keep the *side-path* of geography. Since I understood the subject, I have ever thought that the best historian is the best geographer; and if historians would direct a proper person, skilled in the principles of geography, to *embody* (as I may say) their ideas for them, the historian would find himself better served, than by relying on those who may properly be styled *map-makers*. For, after all, whence does the geographer derive his materials but from the labours of the historian? * * * * * * * *

## PREFACE TO THE FIRST EDITION.

I DELIVER this book to the world with all the diffidence and anxiety natural to an author on publishing his first performance. The time I have employed, and the pains I have taken, in order to render it worthy of the public approbation, it is, perhaps, prudent to conceal, until it be known whether that approbation shall ever be bestowed upon it.

But as I have departed, in many instances, from former historians, as I have placed facts in a different light, and have drawn characters with new colours, I ought to account for this conduct to my readers; and to produce the evidence, on which, at the distance of two centuries, I presume to contradict the testimony of less remote, or even of contemporary historians.

The transactions in Mary's reign gave rise to two parties, which were animated against each other with the fiercest political hatred, embittered by religious zeal. Each of these produced historians of considerable merit, who adopted all their sentiments, and defended all their actions. Truth was not the sole object of these authors. Blinded by prejudices, and heated by the part which they themselves had acted in the scenes they describe, they wrote an apology for a faction, rather than the history of their country. Succeeding historians have followed these guides al-

most implicitly, and have repeated their errours and misrepresentations. But as the same passions which inflamed parties in that age have descended to their posterity; as almost every event in Mary's reign has become the object of doubt or of dispute; the eager spirit of controversy soon discovered, that without some evidence more authentic and more impartial than that of such historians, none of the points in question could be decided with certainty. Records have therefore been searched, original papers have been produced, and public archives, as well as the repositories of private men, have been ransacked by the zeal and curiosity of writers of different parties. The attention of Cecil to collect whatever related to that period, in which he acted so conspicuous a part, hath provided such an immense store of original papers for illustrating this part of the English and Scottish history, as are almost sufficient to satisfy the utmost avidity of an antiquary. Sir Robert Cotton, whose library is now the property of the public, made great and valuable additions to Cecil's collection; and from this magazine, Digges, the compilers of the Cabbala, Anderson, Keith, Haines, Forbes, have drawn most of the papers which they have printed. No history of Scotland, that merits any degree of attention, has appeared since these collections were published. By consulting them, I have been enabled, in many instances, to correct the inaccuracies of former historians, to avoid their mistakes, and to detect their misrepresentations.

But many important papers have escaped the notice of those industrious collectors; and, after all they have produced to light, much still remained in darkness,

unobserved or unpublished. It was my duty to search for these, and I found this unpleasant task attended with considerable utility.

The library of the faculty of advocates at Edinburgh, contains not only a large collection of original papers relating to the affairs of Scotland, but copies of others no less curious, which have been preserved by sir Robert Cotton, or are extant in the public offices in England. Of all these the curators of that library were pleased to allow me the perusal.

Though the British Musæum be not yet open to the public, Dr. Birch, whose obliging disposition is well known, procured me access to that noble collection, which is worthy the magnificence of a great and polished nation.

That vast and curious collection of papers relating to the reign of Elizabeth, which was made by Dr. Forbes, and of which he published only two volumes, having been purchased since his death by the lord viscount Royston, his lordship was so good as to allow me the use of fourteen volumes in quarto, containing that part of them which is connected with my subject.

Sir Alexander Dick communicated to me a very valuable collection of original papers, in two large volumes. They relate chiefly to the reign of James. Many of them are marked with archbishop Spotiswood's hand; and it appears from several passages in his history, that he had perused them with great attention.

Mr. Calderwood, an eminent presbyterian clergyman of the last century, compiled an history of Scotland from the beginning of the reign of James the fifth to the death of James the sixth, in six large volumes;

wherein he has inserted many papers of consequence, which are nowhere else to be found. This history has not been published; but a copy of it, which still remains in manuscript, in the possession of the church of Scotland, was put into my hands by my worthy friend, the reverend Dr. George Wishart, principal clerk of the church.

Sir David Dalrymple not only communicated to me the papers which he has collected relating to Gowrie's conspiracy; but, by explaining to me his sentiments with regard to that problematical passage in the Scottish history, has enabled me to place that transaction in a light which dispels much of the darkness and confusion in which it has been hitherto involved.

Mr. Goodall, though he knew my sentiments with regard to the conduct and character of queen Mary to be extremely different from his own, communicated to me a volume of manuscripts in his possession, which contains a great number of valuable papers copied from the originals in the Cottonian library and paper office, by the late reverend Mr. Crawford, regius professor of church history in the university of Edinburgh. I likewise received from him the original register of letters kept by the regent Lennox during his administration.

I have consulted all these papers, as far as I thought they could be of any use towards illustrating that period of which I write the history. With what success I have employed them to confirm what was already known, to ascertain what was dubious, or to determine what was controverted, the public must judge.

I might easily have drawn, from the different reposi-

tories to which I had access, as many papers as would have rendered my Appendix equal in size to the most bulky collection of my predecessors. But I have satisfied myself with publishing a few of the most curious among them, to which I found it necessary to appeal as vouchers for my own veracity. None of these, as far as I can recollect, ever appeared in any former collection.

I have added a 'Critical dissertation concerning the murder of king Henry, and the genuineness of the queen's letters to Bothwell.' The facts and observations which relate to Mary's letters, I owe to my friend Mr. John Davidson, one of the clerks to the signet, who hath examined this point with his usual acuteness and industry.

## PREFACE TO THE ELEVENTH EDITION.

It is now twenty-eight years since I published the History of Scotland. During that time I have been favoured by my friends with several remarks upon it; and various strictures have been made by persons, who entertained sentiments different from mine, with respect to the transactions in the reign of queen Mary. From whatever quarter information came, in whatever mode it has been communicated, I have considered it calmly and with attention. Wherever I perceived that I had erred, either in relating events, or in delineating characters, I have, without hesitation, corrected those errours. Wherever I am satisfied that my original ideas were just and well-founded, I adhere to them; and, resting upon their conformity to evidence already produced, I enter into no discussion or controversy in order to support them. Wherever the opportunity of consulting original papers either in print or in manuscript, to which I had not formerly access, has enabled me to throw new light upon any part of the history, I have made alterations and additions, which, I flatter myself, will be found to be of some importance.

College of Edinburgh,
March 5th, 1787.

# THE

# HISTORY OF SCOTLAND

## DURING THE REIGNS

## OF QUEEN MARY AND OF KING JAMES VI.

## TILL HIS ACCESSION

## TO THE CROWN OF ENGLAND:

## WITH

## A REVIEW OF THE SCOTTISH HISTORY

## PREVIOUS TO THAT PERIOD;

## AND AN APPENDIX

## CONTAINING ORIGINAL PAPERS.

VOLUME I.

THE

# HISTORY OF SCOTLAND.

## THE FIRST BOOK,

CONTAINING A REVIEW OF THE SCOTTISH HISTORY PREVIOUS TO THE DEATH OF JAMES THE FIFTH.

THE first ages of the Scottish history are dark and fabulous. Nations, as well as men, arrive at maturity by degrees, and the events, which happened during their infancy or early youth, cannot be recollected, and deserve not to be remembered. The gross ignorance which anciently covered all the north of Europe, the continual migrations of its inhabitants, and the frequent and destructive revolutions which these occasioned, render it impossible to give any authentic account of the origin of the different kingdoms now established there. Every thing beyond that short period to which well-attested annals reach, is obscure; an immense space is left for invention to occupy; each nation, with a vanity inseparable from human nature, hath filled that void with events calculated to display its own antiquity and lustre. History, which ought to record truth and to teach wisdom, often sets out with retailing fictions and absurdities.

The origin of nations fabulous and obscure.

The Scots carry their pretensions to antiquity as high as any of their neighbours. Relying upon uncertain legends, and the traditions of their bards, still more uncertain, they reckon up a series of kings several ages before the birth of Christ; and give a particular detail of the occurrences which happened in their reigns.

Origin of the Scots.

But with regard to the Scots, as well as the other northern nations, we receive the earliest accounts on which we can depend, not from their own, but from
A.D. 81. the Roman authors. When the Romans, under Agricola, first carried their arms into the northern parts of Britain, they found it possessed by the Caledonians, a fierce and warlike people; and, having repulsed, rather than conquered them, they erected a strong wall between the firths of Forth and Clyde, and there fixed the boundaries of their empire. Adrian, on account of
A.D. 121. the difficulty of defending such a distant frontier, contracted the limits of the Roman province in Britain, by building a second wall, which ran between Newcastle and Carlisle. The ambition of succeeding emperors endeavoured to recover what Adrian had abandoned; and the country between the two walls was alternately under the dominion of the Romans, and that of the Caledonians. About the beginning of the fifth century, the inroads of the Goths and other barbarians obliged the Romans, in order to defend the centre of their empire, to recall those legions which guarded the frontier provinces; and, at that time, they quitted all their conquests in Britain.

A.D. 421. Their long residence in the island had polished, in some degree, the rude inhabitants, and the Britons were indebted to their intercourse with the Romans, for the art of writing, and the use of numbers, without which it is impossible long to preserve the memory of past events.

North Britain was, by their retreat, left under the dominion of the Scots and Picts. The former, who are not mentioned by any Roman author, before the end of the fourth century, were probably a colony of the Celtæ or Gauls; their affinity to whom appears from their language, their manners, and religious rites; circumstances more decisive, with regard to the origin of nations, than either fabulous traditions, or the tales of ill-informed and credulous annalists. The Scots, if we

may believe the common accounts, settled at first in Ireland; and, extending themselves by degrees, landed at last on the coast opposite to that island, and fixed their habitations there. Fierce and bloody wars were, during several ages, carried on between them and the Picts. At length, Kenneth the second, the sixty-ninth king of the Scots, according to their own fabulous authors, obtained a complete victory over the Picts, and united, under one monarchy, all the country, from the wall of Adrian, to the northern ocean. The kingdom, henceforward, became known by its present name, which it derived from a people who at first settled there as strangers, and remained long obscure and inconsiderable. A.D. 838.

From this period the history of Scotland would merit some attention, were it accompanied with any certainty. But, as our remote antiquities are involved in the same darkness with those of other nations, a calamity peculiar to ourselves has thrown almost an equal obscurity over our more recent transactions. This was occasioned by the malicious policy of Edward the first of England. Towards the end of the thirteenth century, this monarch called in question the independence of Scotland; pretending that the kingdom was held as a fief of the crown of England, and subjected to all the conditions of a feudal tenure. In order to establish his claim, he seized the public archives, he ransacked churches and monasteries, and getting possession, by force or fraud, of many historical monuments, which tended to prove the antiquity or freedom of the kingdom, he carried some of them into England, and commanded the rest to be burned[a]. An universal oblivion of past transactions might have been the effect of this fatal event; but some imperfect chronicles had escaped the rage of Edward; foreign writers had recorded some important facts relating to Scotland; and the traditions concerning recent occurrences were fresh and History of Scotland peculiarly obscure.

[a] Innes, Essay, 552.

worthy of credit. These broken fragments John de Fordun, who lived in the fourteenth century, collected with a pious industry, and from them gleaned materials which he formed into a regular history. His work was received by his countrymen with applause; and, as no recourse could be had to more ancient records, it supplied the place of the authentic annals of the kingdom. It was copied in many monasteries, and the thread of the narrative was continued, by different monks, through the subsequent reigns. In the beginning of the sixteenth century, John Major and Hector Boethius published their histories of Scotland, the former a succinct and dry writer, the latter a copious and florid one, and both equally credulous. Not many years after, Buchanan undertook the same work; and if his accuracy and impartiality had been, in any degree, equal to the elegance of his taste, and to the purity and vigour of his style, his history might be placed on a level with the most admired compositions of the ancients. But, instead of rejecting the improbable tales of chronicle writers, he was at the utmost pains to adorn them; and hath clothed, with all the beauties and graces of fiction, those legends, which formerly had only its wildness and extravagance.

Four remarkable æras in the Scottish history.

The history of Scotland may properly be divided into four periods. The first reaches from the origin of the monarchy, to the reign of Kenneth the second. The second, from Kenneth's conquest of the Picts, to the death of Alexander the third. The third extends to the death of James the fifth. The last, from thence to the accession of James the sixth to the crown of England.

The first period is the region of pure fable and conjecture, and ought to be totally neglected, or abandoned to the industry and credulity of antiquaries. Truth begins to dawn in the second period, with a light, feeble at first, but gradually increasing; and the events which then happened may be slightly touched, but merit no particular or laborious inquiry. In the third period,

the history of Scotland, chiefly by means of records preserved in England, becomes more authentic: not only are events related, but their causes and effects explained; the characters of the actors are displayed; the manners of the age described; the revolutions in the constitution pointed out: and here every Scotsman should begin not to read only, but to study the history of his country. During the fourth period, the affairs of Scotland were so mingled with those of other nations, its situation in the political state of Europe was so important, its influence on the operations of the neighbouring kingdoms was so visible, that its history becomes an object of attention to foreigners; and without some knowledge of the various and extraordinary revolutions which happened there, they cannot form a just notion, with respect either to the most illustrious events, or to the characters of the most distinguished personages, in the sixteenth century.

A review of the third æra.

The following history is confined to the last of these periods: to give a view of the political state of the kingdom during that which immediately preceded it, is the design of this preliminary book. The imperfect knowledge which strangers have of the affairs of Scotland, and the prejudices Scotsmen themselves have imbibed, with regard to the various revolutions in the government of their country, render such an introduction equally necessary to both.

The period from the death of Alexander the third to the death of James the fifth, contains upwards of two centuries and a half, from the year one thousand two hundred and eighty-six, to the year one thousand five hundred and forty-two.

Rise of the controversy concerning the independence of Scotland.

It opens with the famous controversy concerning the independence of Scotland. Before the union of the two kingdoms, this was a question of much importance. If the one crown had been considered not as imperial and independent, but as feudatory to the other, a treaty of union could not have been concluded on equal terms,

and every advantage which the dependent kingdom procured, must have been deemed the concession of a sovereign to his vassal. Accordingly, about the beginning of the present century, and while a treaty of union between the two kingdoms was negotiating, this controversy was agitated with all the heat which national animosities naturally inspire. What was then the subject of serious concern, the union of the two kingdoms has rendered a matter of mere curiosity. But though the objects, which, at that time, warmed and interested both nations, exist no longer, a question which appeared so momentous to our ancestors, cannot be altogether indifferent or uninstructive to us.

Some of the northern counties of England were early in the hands of the Scottish kings, who, as far back as the feudal customs can be traced, held these possessions of the kings of England, and did homage to them on that account. This homage, due only for the territories which they held in England, was in nowise derogatory from their royal dignity. Nothing is more suitable to feudal ideas, than that the same person should be both a lord and a vassal, independent in one capacity, and dependent in another[b]. The crown of England was, without doubt, imperial and independent, though the princes who wore it were, for many ages, the vassals of the kings of France; and, in consequence of their possessions in that kingdom, bound to perform all the services which a feudal sovereign

[b] A very singular proof of this occurs in the French history. Arpin sold the vicomté of the city of Bourges to Philip the first, who did homage to the count of Sancerre for a part of these lands, which held of that nobleman, a.d. 1100. I believe that no example of a king's doing homage to one of his own subjects, is to be met with in the histories either of England or Scotland. Philip le bel abolished this practice in France, a.d. 1302. Hénault, Abrégé chronol. Somewhat similar to this, is a charter of the abbot of Melross, a.d. 1535, constituting James the fifth the bailiff or steward of that abbey, vesting in him all the powers which pertained to that office, and requiring him to be answerable to the abbot for his exercise of the same. Archiv. publ. Edin.

has a title to exact. The same was the condition of the monarchs of Scotland; free and independent, as kings of their own country, but, as possessing English territories, vassals to the king of England. The English monarchs, satisfied with their legal and uncontroverted rights, were, during a long period, neither capable, nor had any thoughts, of usurping more. England, when conquered by the Saxons, being divided by them into many small kingdoms, was in no condition to extend its dominion over Scotland, united at that time under one monarch. And though these petty principalities were gradually formed into one kingdom, the reigning princes, exposed to continual invasions of the Danes, and often subjected to the yoke of those formidable pirates, seldom turned their arms towards Scotland, and were little able to establish new rights in that country. The first kings of the Norman race, busied with introducing their own laws and manners into the kingdom which they had conquered, or with maintaining themselves on the throne which some of them possessed by a very dubious title, were as little solicitous to acquire new authority, or to form new pretensions in Scotland. An unexpected calamity that befell one of the Scottish kings first encouraged the English to think of bringing his kingdom under dependence. William, surnamed the Lion, being taken prisoner at Alnwick, Henry the second, as the price of his liberty, not only extorted from him an exorbitant ransom, and a promise to surrender the places of greatest strength in his dominions, but compelled him to do homage for his whole kingdom. Richard the first, a generous prince, solemnly renounced this claim of homage, and absolved William from the hard conditions which Henry had imposed. Upon the death of Alexander the third, near a century after, Edward the first, availing himself of the situation of affairs in Scotland, acquired an influence in that kingdom, which no English monarch before him ever possessed, and,

imitating the interested policy of Henry, rather than the magnanimity of Richard, revived the claim of sovereignty to which the former had pretended.

Pretensions of Bruce and Baliol examined.

Margaret of Norway, granddaughter of Alexander, and heir to his crown, did not long survive him. The right of succession belonged to the descendants of David, earl of Huntingdon, third son of king David the first. Among these, Robert Bruce, and John Baliol, two illustrious competitors for the crown, appeared. Bruce was the son of Isabel, earl David's second daughter; Baliol, the grandson of Margaret the eldest daughter. According to the rules of succession which are now established, the right of Baliol was preferable; and, notwithstanding Bruce's plea of being nearer in blood to earl David, Baliol's claim, as the representative of his mother and grandmother, would be deemed incontestable. But in that age, the order of succession was not ascertained with the same precision. The question appeared to be no less intricate, than it was important. Though the prejudices of the people, and perhaps the laws of the kingdom, favoured Bruce, each of the rivals was supported by a powerful faction. Arms alone, it was feared, must terminate a dispute too weighty for the laws to decide. But, in order to avoid the miseries of a civil war, Edward was chosen umpire, and both parties agreed to acquiesce in his decree. This had well nigh proved fatal to the independence of Scotland; and the nation, by its eagerness to guard against a civil war, was not only exposed to that calamity, but almost subjected to a foreign yoke. Edward was artful, brave, enterprising, and commanded a powerful and martial people, at peace with the whole world. The anarchy which prevailed in Scotland, and the ambition of competitors ready to sacrifice their country in order to obtain even a dependent crown, invited him first to seize, and then to subject the kingdom. The authority of an umpire, which had been unwarily bestowed upon him, and from which the Scots dreaded no dangerous con-

sequences, enabled him to execute his schemes with the greater facility. Under pretence of examining the question with the utmost solemnity, he summoned all the Scottish barons to Norham; and having gained some, and intimidated others, he prevailed on all who were present, not excepting Bruce and Baliol, the competitors, to acknowledge Scotland to be a fief of the English crown, and to swear fealty to him as their 'sovereign,' or 'liege lord.' This step led to another still more important. As it was vain to pronounce a sentence which he had not power to execute, Edward demanded possession of the kingdom, that he might be able to deliver it to him whose right should be found preferable; and such was the pusillanimity of the nobles, and the impatient ambition of the competitors, that both assented to this strange demand, and Gilbert de Umfraville, earl of Angus, was the only man who refused to surrender the castles in his custody to the enemy of his country. Edward, finding Baliol the most obsequious and the least formidable of the two competitors, soon after gave judgment in his favour. Baliol once more professed himself the vassal of England, and submitted to every condition which the sovereign whom he had now acknowledged was pleased to prescribe.

Edward, having thus placed a creature of his own upon the throne of Scotland, and compelled the nobles to renounce the ancient liberties and independence of their country, had reason to conclude that his dominion was now fully established. But he began too soon to assume the master; his new vassals, fierce and independent, bore with impatience a yoke, to which they were not accustomed. Provoked by his haughtiness, even the passive spirit of Baliol began to mutiny. But Edward, who had no longer use for such a pageant king, forced him to resign the crown, and openly attempted to seize it, as fallen to himself by the rebellion of his vassal. At that critical period arose sir William Wallace, a hero, to whom the fond admiration of his

countrymen hath ascribed many fabulous acts of prowess, though his real valour, as well as integrity and wisdom, are such as need not the heightenings of fiction. He, almost single, ventured to take arms in defence of the kingdom, and his boldness revived the spirit of his countrymen. At last, Robert Bruce, the grandson of him who stood in competition with Baliol, appeared to assert his own rights, and to vindicate the honour of his country. The nobles, ashamed of their former baseness, and enraged at the many indignities offered to the nation, crowded to his standard. In order to crush him at once, the English monarch entered Scotland, at the head of a mighty army. Many battles were fought, and the Scots, though often vanquished, were not subdued. The ardent zeal with which the nobles contended for the independence of the kingdom, the prudent valour of Bruce, and, above all, a national enthusiasm inspired by such a cause, baffled the repeated efforts of Edward, and counterbalanced all the advantages which he derived from the number and wealth of his subjects. Though the war continued with little intermission upwards of seventy years, Bruce and his posterity kept possession of the throne of Scotland, and reigned with an authority not inferior to that of its former monarchs.

But while the sword, the ultimate judge of all disputes between contending nations, was employed to terminate this controversy, neither Edward nor the Scots seemed to distrust the justice of their cause; and both appealed to history and records, and from these produced, in their own favour, such evidence as they pretended to be unanswerable. The letters and memorials addressed by each party to the pope, who was then reverenced as the common father, and often appealed to as the common judge of all christian princes, are still extant. The fabulous tales of the early British history; the partial testimony of ignorant chroniclers; supposititious treaties and charters; are the proofs on

which Edward founded his title to the sovereignty of Scotland; and the homage done by the Scottish monarchs for their lands in England is preposterously supposed to imply the subjection of their whole kingdom[c]. Ill-founded, however, as their right was, the English did not fail to revive it, in all the subsequent quarrels between the two kingdoms; while the Scots disclaimed it with the utmost indignation. To this we must impute the fierce and implacable hatred to each other, which long inflamed both. Their national antipathies were excited, not only by the usual circumstances of frequent hostilities, and reciprocal injuries; but the English considered the Scots as vassals who had presumed to rebel, and the Scots, in their turn, regarded the English as usurpers who aimed at enslaving their country.

1306. State of the kingdom, when Bruce began his reign.

At the time when Robert Bruce began his reign in Scotland, the same form of government was established in all the kingdoms of Europe. This surprising similarity in their constitution and laws demonstrates that the nations which overturned the Roman empire, and erected these kingdoms, though divided into different tribes, and distinguished by different names, were either derived originally from the same source, or had been placed in similar situations. When we take a view of the feudal system of laws and policy, that stupendous and singular fabric erected by them, the first object that strikes us is the king. And when we are told that he is the sole proprietor of all the lands within his dominions, that all his subjects derive their possessions from him, and in return consecrate their lives to his service; when we hear that all marks of distinction, and titles of dignity, flow from him, as the only fountain of honour; when we behold the most potent peers, on their bended knees, and with folded hands, swearing fealty at his feet, and acknowledging him to be their

[c] Anderson's Historical Essay concerning the independency, etc.

'sovereign' and their 'liege lord;' we are apt to pronounce him a powerful, nay, an absolute monarch. No conclusion, however, would be more rash, or worse founded. The genius of the feudal government was purely aristocratical. With all the ensigns of royalty, and with many appearances of despotic power, a feudal king was the most limited of all princes.

Origin of the feudal government, and its aristocratical genius.

Before they sallied out of their own habitations to conquer the world, many of the northern nations seem not to have been subject to the government of kings[d]; and even where monarchical government was established, the prince possessed but little authority. A general, rather than a king, his military command was extensive, his civil jurisdiction almost nothing[e]. The army which he led was not composed of soldiers, who could be compelled to serve, but of such as voluntarily followed his standard[f]. These conquered not for their leader, but for themselves; and, being free in their own country, renounced not their liberty, when they acquired new settlements. They did not exterminate the ancient inhabitants of the countries which they subdued; but, seizing the greater part of their lands, they took their persons under protection. The difficulty of maintaining a new conquest, as well as the danger of being attacked by new invaders, rendering it necessary to be always in a posture of defence, the form of government which they established was altogether military, and nearly resembled that to which they had been accustomed in their native country. Their general still continuing to be the head of the colony, part of the conquered lands were allotted to him; the remainder, under the name of 'beneficia' or 'fiefs,' was divided amongst his principal officers. As the common safety required that these officers should, upon all occasions, be ready to appear in arms, for the common defence, and should continue obedient to their general, they bound them-

[d] Cæs. lib. vi. c. 23.
[e] Tacit. de Mor. Germ. c. 7. 11.
[f] Cæs. ibid.

selves to take the field, when called, and to serve him with a number of men, in proportion to the extent of their territory. These great officers again parcelled out their lands among their followers, and annexed the same condition to the grant. A feudal kingdom was properly the encampment of a great army; military ideas predominated, military subordination was established, and the possession of land was the pay which soldiers received for their personal service. In consequence of these notions, the possession of land was granted during pleasure only, and kings were elective. In other words, an officer disagreeable to his general was deprived of his pay, and the person who was most capable of conducting an army was chosen to command it. Such were the first rudiments, or infancy of feudal government.

But long before the beginning of the fourteenth century, the feudal system had undergone many changes, of which the following were the most considerable. Kings, formerly elective, were then hereditary; and fiefs, granted at first during pleasure, descended from father to son, and were become perpetual. These changes, not less advantageous to the nobles than to the prince, made no alteration in the aristocratical spirit of the feudal constitution. The king, who, at a distance, seemed to be invested with majesty and power, appears, on a nearer view, to possess almost none of those advantages which bestow on monarchs their grandeur and authority. His revenues were scanty; he had not a standing army; and the jurisdiction he possessed was circumscribed within very narrow limits.

General causes which limited the power of the feudal monarchs.

At a time when pomp and splendour were little known, even in the palaces of kings; when the officers of the crown received scarcely any salary besides the fees and perquisites of their office; when embassies to foreign courts were rare; when armies were composed of soldiers who served without pay; it was not necessary that a king should possess a great revenue; nor did the

Their revenues were small.

condition of Europe, in those ages, allow its princes to be opulent. Commerce made little progress in the kingdoms where the feudal government was established. Institutions, which had no other object but to inspire a martial spirit, to train men to be soldiers, and to make arms the only honourable profession, naturally discouraged the commercial arts. The revenues, arising from the taxes imposed on the different branches of commerce, were, by consequence, inconsiderable; and the prince's treasury received little supply from a source, which, among a trading people, flows with such abundance, and is almost inexhaustible. A fixed tax was not levied even on land: such a burthen would have appeared intolerable to men who received their estates as the reward of their valour, and who considered their service in the field as a full retribution for what they possessed. The king's 'demesnes,' or the portion of land which he still retained in his own hands unalienated, furnished subsistence to his court, and defrayed the ordinary expense of government[g]. The only stated taxes which the feudal law obliged vassals to pay to the king, or to those of whom they held their lands, were three: one, when his eldest son was made a knight; another, when his eldest daughter was married; and a third, in order to ransom him, if he should happen to be taken prisoner. Besides these, the king received the feudal casualties of the ward, marriage, etc. of his own vassals. And, on some extraordinary occasions, his subjects granted him an aid, which they distinguished by the name of a 'benevolence,' in order to declare that he received it not in consequence of any right, but as a gift, flowing from their good will[h]. All these added together, produced a revenue so scanty and precarious, as naturally incited a feudal monarch to aim at diminishing the exorbitant power and wealth of the nobility, but, instead of enabling him to carry on

[g] Craig. de Feud. lib. i. Dieg. 14. Du Cange, Gloss. voc. dominicum.
[h] Du Cange, voc. auxilium.

his schemes with full effect, kept him in continual indigence, anxiety, and dependence.

They had no standing armies.

Nor could the king supply the defect of his revenues by the terrour of his arms. Mercenary troops and standing armies were unknown, as long as the feudal government subsisted in vigour. Europe was peopled with soldiers. The vassals of the king, and the sub-vassals of the barons, were all obliged to carry arms. While the poverty of princes prevented them from fortifying their frontier towns, while a campaign continued but a few weeks, and while a fierce and impetuous courage was impatient to bring every quarrel to the decision of a battle, an army, without pay, and with little discipline, was sufficient for all the purposes both of the security and of the glory of the nation. Such an army, however, far from being an engine at the king's disposal, was often no less formidable to him, than to his enemies. The more warlike any people were, the more independent they became; and the same persons being both soldiers and subjects, civil privileges and immunities were the consequence of their victories, and the reward of their martial exploits. Conquerors, whom mercenary armies, under our present forms of government, often render the tyrants of their own people, as well as the scourges of mankind, were commonly, under the feudal constitution, the most indulgent of all princes to their subjects, because they stood most in need of their assistance. A prince, whom even war and victories did not render the master of his own army, possessed hardly any shadow of military power during times of peace. His disbanded soldiers mingled with his other subjects; not a single man received pay from him; many ages elapsed even before a guard was appointed to defend his person; and destitute of that great instrument of dominion, a standing army, the authority of the king continued always feeble, and was often contemptible.

Nor were these the only circumstances which contri-

Their jurisdiction was limited.

buted towards depressing the regal power. By the feudal system, as has been already observed, the king's judicial authority was extremely circumscribed. At first, princes seem to have been the supreme judges of their people, and, in person, heard and determined all controversies among them. The multiplicity of causes soon made it necessary to appoint judges, who, in the king's name, decided matters that belonged to the royal jurisdiction. But the barbarians, who overran Europe, having destroyed most of the great cities, and the countries which they seized being cantoned out among powerful chiefs, who were blindly followed by numerous dependents, whom, in return, they were bound to protect from every injury; the administration of justice was greatly interrupted, and the execution of any legal sentence became almost impracticable. Theft, rapine, murder, and disorder of all kinds, prevailed in every kingdom of Europe, to a degree almost incredible, and scarce compatible with the subsistence of civil society. Every offender sheltered himself under the protection of some powerful chieftain, who screened him from the pursuits of justice. To apprehend, and to punish a criminal, often required the union and effort of half a kingdom[1]. In order to remedy these evils, many per-

[1] A remarkable instance of this occurs in the following history, so late as the year one thousand five hundred and sixty-one. Mary, having appointed a court of justice to be held on the borders, the inhabitants of no less than eleven counties were summoned to guard the person, who was to act as judge, and to enable him to enforce his decisions. The words of a proclamation, which afford such a convincing proof of the feebleness of the feudal government, deserve our notice. "And because it is necessary for the execution of her highness' commandments and service, that her justice be well accompanied, and her authority sufficiently fortified, by the concurrence of a good power of her faithful subjects—Therefore commands and charges all and sundry earls, lords, barons, freeholders, landed-men, and other gentlemen, dwelling within the said counties, that they, and every one of them, with their kin, friends, servants, and household-men, well bodin in feir of war in the most substantious manner, [i. e. completely armed and provided,] and with twenty days' victuals, to meet and to pass forward with him to the borough of Jedburgh, and there to remain during the said space of twenty days, and to receive such direction and commands

sons of distinction were entrusted with the administration of justice within their own territories. But what, we may presume, was, at first, only a temporary grant, or a personal privilege, the encroaching spirit of the nobles gradually converted into a right, and rendered hereditary. The lands of some were, in process of time, erected into 'baronies,' those of others into 'regalities.' The jurisdiction of the former was extensive; that of the latter, as the name implies, royal, and almost unbounded. All causes, whether civil or criminal, were tried by judges, whom the lord of the regality appointed; and if the king's courts called any person within his territory before them, the lord of regality might put a stop to their proceedings, and, by the privilege of 'repledging,' remove the cause to his own court, and even punish his vassal, if he submitted to a foreign jurisdiction[k]. Thus almost every question, in which any person who resided on the lands of the nobles was interested, being determined by judges appointed by the nobles themselves, their vassals were hardly sensible of being, in any degree, subject to the crown. A feudal kingdom was split into many small principalities, almost independent, and held together by a feeble and commonly an imperceptible bond of union. The king was not only stripped of the authority annexed to the person of a supreme judge, but his revenue suffered no small diminution, by the loss of those pecuniary emoluments, which were, in that age, due to the person who administered justice.

In the same proportion that the king sunk in power, the nobles rose towards independence. Not satisfied with having obtained an hereditary right to their fiefs, which they formerly held during pleasure, their ambition aimed at something bolder, and, by introducing

as shall be given by him to them in our sovereign lady's name, for quietness of the country; and to put the same in execution under the pain of losing their life, lands, and goods." Keith's Hist. of Scotland, 198.

[k] Craig, lib. iii. Dieg. 7.

'entails,' endeavoured, as far as human ingenuity and invention can reach that end, to render their possessions unalienable and everlasting. As they had full power to add to the inheritance transmitted to them from their ancestors, but none to diminish it, time alone, by means of marriages, legacies, and other accidents, brought continual accessions of wealth and of dignity; a great family, like a river, became considerable from the length of its course, and, as it rolled on, new honours and new property flowed successively into it. Whatever influence is derived from titles of honour, the feudal barons likewise possessed in an ample manner. These marks of distinction are, in their own nature, either official or personal, and being annexed to a particular charge, or bestowed by the admiration of mankind upon illustrious characters, ought to be appropriated to these. But the son, however unworthy, could not bear to be stripped of that appellation by which his father had been distinguished. His presumption claimed, what his virtue did not merit; titles of honour became hereditary, and added new lustre to nobles already in possession of too much power. Something more audacious and more extravagant still remained. The supreme direction of all affairs, both civil and military, being committed to the great officers of the crown, the fame and safety of princes, as well as of their people, depended upon the fidelity and abilities of these officers. But such was the preposterous ambition of the nobles, and so successful even in their wildest attempts to aggrandize themselves, that in all the kingdoms where the feudal institutions prevailed, most of the chief offices of state were annexed to great families, and held, like fiefs, by hereditary right. A person whose undutiful behaviour rendered him odious to his prince, or whose incapacity exposed him to the contempt of the people, often held a place of power and trust of the greatest importance to both. In Scotland, the offices of lord justice general, great chamberlain,

high steward, high constable, earl marshal, and high admiral, were all hereditary; and in many counties, the office of sheriff was held in the same manner.

Nobles, whose property was so extensive, and whose power was so great, could not fail of being turbulent and formidable. Nor did they want instruments for executing their boldest designs. That portion of their lands, which they parcelled out among their followers, supplied them with a numerous band of faithful and determined vassals; while that which they retained in their own hands, enabled them to live with a princely splendour. The great hall of an ambitious baron was often more crowded than the court of his sovereign. The strong castles, in which they resided, afforded a secure retreat to the discontented and seditious. A great part of their revenue was spent upon multitudes of indigent, but bold retainers. And if at any time they left their retreat to appear in the court of their sovereign, they were accompanied, even in times of peace, with a vast train of armed followers. The usual retinue of William, the sixth earl of Douglas, consisted of two thousand horse. Those of the other nobles were magnificent and formidable in proportion. Impatient of subordination, and forgetting their proper rank, such potent and haughty barons were the rivals, rather than the subjects, of their prince. They often despised his orders, insulted his person, and wrested from him his crown. The history of Europe, during several ages, contains little else but the accounts of the wars and revolutions occasioned by their exorbitant ambition.

Their power greater in Scotland than in any other kingdom.

But, if the authority of the barons far exceeded its proper bounds in the other nations of Europe, we may affirm that the balance which ought to be preserved between a king and his nobles was almost entirely lost in Scotland. The Scottish nobles enjoyed, in common with those of other nations, all the means for extending their authority which arise from the aristocratical ge-

nius of the feudal government. Besides these, they possessed advantages peculiar to themselves: the accidental sources of their power were considerable; and singular circumstances concurred with the spirit of the constitution to aggrandize them. To enumerate the most remarkable of these, will serve both to explain the political state of the kingdom, and to illustrate many important occurrences in the period now under our review.

The particular causes of this.

The nature of the country.

I. The nature of their country was one cause of the power and independence of the Scottish nobility. Level and open countries are formed for servitude. The authority of the supreme magistrate reaches with ease to the most distant corners; and when nature has erected no barrier, and affords no retreat, the guilty or obnoxious are soon detected and punished. Mountains, and fens, and rivers, set bounds to despotic power, and amidst these is the natural seat of freedom and independence. In such places did the Scottish nobles usually fix their residence. By retiring to his own castle, a mutinous baron could defy the power of his sovereign, it being almost impracticable to lead an army, through a barren country, to places of difficult access to a single man. The same causes which checked the progress of the Roman arms, and rendered all the efforts of Edward the first abortive, often protected the Scottish nobles from the vengeance of their prince; and they owed their personal independence to those very mountains and marshes which saved their country from being conquered.

The small number of great cities.

II. The want of great cities in Scotland contributed not a little to increase the power of the nobility, and to weaken that of the prince. Wherever numbers of men assemble together, order must be established, and a regular form of government instituted; the authority of the magistrate must be recognised, and his decisions meet with prompt and full obedience. Laws and subordination take rise in cities; and where there are few cities, as in Poland, or none, as in Tartary, there are

few or no traces of a well-arranged police. But under the feudal governments, commerce, the chief means of assembling mankind, was neglected; the nobles, in order to strengthen their influence over their vassals, resided among them, and seldom appeared at court, where they found a superior, or dwelt in cities, where they met with equals. In Scotland, the fertile counties in the south lying open to the English, no town situated there could rise to be great or populous, amidst continual inroads and alarms; the residence of our monarchs was not fixed to any particular place; many parts of the country were barren and uncultivated; and, in consequence of these peculiar circumstances, added to the general causes flowing from the nature of the feudal institutions, the towns in Scotland were extremely few, and very inconsiderable. The vassals of every baron occupied a distinct portion of the kingdom, and formed a separate and almost independent society. Instead of giving aid towards reducing to obedience their seditious chieftain, or any whom he took under his protection, they were all in arms for his defence, and obstructed the operations of justice to the utmost. The prince was obliged to connive at criminals whom he could not reach; the nobles, conscious of this advantage, were not afraid to offend; and the difficulty of punishing almost assured them of impunity.

III. The division of the country into clans had no small effect in rendering the nobles considerable. The nations which overran Europe were originally divided into many small tribes; and when they came to parcel out the lands which they had conquered, it was natural for every chieftain to bestow a portion, in the first place, upon those of his own tribe or family. These all held their lands of him; and as the safety of each individual depended on the general union, these small societies clung together, and were distinguished by some common appellation, either patronymical or local, long before the introduction of surnames, or ensigns armorial. The institution of clans.

But when these became common, the descendants and relations of every chieftain assumed the same name and arms with him; other vassals were proud to imitate their example, and, by degrees, they were communicated to all those who held of the same superior. Thus clanships were formed; and in a generation or two, that consanguinity, which was at first in a great measure imaginary, was believed to be real. An artificial union was converted into a natural one; men willingly followed a leader, whom they regarded both as the superior of their lands and the chief of their blood, and served him not only with the fidelity of vassals, but with the affection of friends. In the other feudal kingdoms, we may observe such unions as we have described imperfectly formed; but in Scotland, whether they were the production of chance, or the effect of policy, or introduced by the Irish colony above-mentioned, and strengthened by carefully preserving their genealogies, both genuine and fabulous, clanships were universal. Such a confederacy might be overcome, it could not be broken; and no change of manners, or of government, has been able, in some parts of the kingdom, to dissolve associations which are founded upon prejudices so natural to the human mind. How formidable were nobles at the head of followers, who, counting that cause just and honourable which their chief approved, rushed into the field at his command, ever ready to sacrifice their lives in defence of his person or of his fame! Against such men a king contended with great disadvantage; and that cold service which money purchases, or authority extorts, was not an equal match for their ardour and zeal.

The small number of the nobles.

IV. The smallness of their number may be mentioned among the causes of the grandeur of the Scottish nobles. Our annals reach not back to the first division of property in the kingdom; but so far as we can trace the matter, the original possessions of the nobles seem to have been extensive. The ancient thanes were the

equals and the rivals of their prince. Many of the earls and barons, who succeeded them, were masters of territories no less ample. France and England, countries wide and fertile, afforded settlements to a numerous and powerful nobility. Scotland, a kingdom neither extensive nor rich, could not contain many such overgrown proprietors. But the power of an aristocracy always diminishes in proportion to the increase of its numbers; feeble if divided among a multitude, irresistible if centred in a few. When nobles are numerous, their operations nearly resemble those of the people; they are roused only by what they feel, not by what they apprehend; and submit to many arbitrary and oppressive acts, before they take arms against their sovereign. A small body, on the contrary, is more sensible and more impatient; quick in discerning, and prompt in repelling danger; all its motions are as sudden as those of the other are slow. Hence proceeded the extreme jealousy with which the Scottish nobles observed their monarchs, and the fierceness with which they opposed their encroachments. Even the virtue of a prince did not render them less vigilant, or less eager to defend their rights; and Robert Bruce, notwithstanding the splendour of his victories, and the glory of his name, was upon the point of experiencing the vigour of their resistance, no less than his unpopular descendant, James the third. Besides this, the near alliance of the great families, by frequent intermarriages, was the natural consequence of their small number; and as consanguinity was, in those ages, a powerful bond of union, all the kindred of a nobleman interested themselves in his quarrel, as a common cause; and every contest the king had, though with a single baron, soon drew upon him the arms of a whole confederacy.

V. Those natural connexions, both with their equals and with their inferiors, the Scottish nobles strengthened by a device, which, if not peculiar to themselves, was at least more frequent among them, than in any

Their leagues and combinations.

other nation. Even in times of profound peace, they formed associations, which, when made with their equals, were called 'leagues of mutual defence;' and when with their inferiors, 'bonds of manrent.' By the former, the contracting parties bound themselves mutually to assist each other, in all causes, and against all persons. By the latter, protection was stipulated on the one hand, and fidelity and personal service promised on the other[1]. Self-preservation, it is probable, forced men at first into these confederacies; and, while disorder and rapine were universal, while government was unsettled, and the authority of laws little known or regarded, near neighbours found it necessary to unite in this manner for their security, and the weak were obliged to court the patronage of the strong. By degrees, these associations became so many alliances offensive and defensive against the throne; and, as their obligation was held to be more sacred than any tie whatever, they gave much umbrage to our kings, and contributed not a little to the power and independence of the nobility. In the reign of James the second, William, the eighth earl of Douglas, entered into a league of this kind with the earls of Crawford, Ross, Murray, Ormond, the lords Hamilton, Balveny, and other powerful barons; and so formidable was this combination to the king, that he had recourse to a measure no less violent than unjust, in order to dissolve it.

The frequent wars with England.

VI. The frequent wars between England and Scotland proved another cause of augmenting the power of the nobility. Nature has placed no barrier between the two kingdoms; a river, almost everywhere fordable, divides them towards the east; on the west they are separated by an imaginary line. The slender revenues of our kings prevented them from fortifying, or placing garrisons in the towns on the frontier; nor would the jealousy of their subjects have permitted such

[1] Act 30. Parl. 1424. Act 43. Parl. 1555.

a method of defence. The barons, whose estates lay near the borders, considered themselves as bound, both in honour and in interest, to repel the enemy. The 'wardenships' of the different 'marches,' offices of great power and dignity, were generally bestowed on them. This gained them the leading of the warlike counties in the south; and their vassals, living in a state of perpetual hostility, or enjoying at best an insecure peace, became more inured to war than even the rest of their countrymen, and more willing to accompany their chieftain in his most hardy and dangerous enterprises. It was the valour, no less than the number of their followers, that rendered the Douglases great. The nobles in the northern and midland counties were often dutiful and obsequious to the crown, but our monarchs always found it impracticable to subdue the mutinous and ungovernable spirit of the borderers. In all our domestic quarrels, those who could draw to their side the inhabitants of the southern counties, were almost sure of victory; and, conscious of this advantage, the lords who possessed authority there, were apt to forget the duty which they owed their sovereign, and to aspire beyond the rank of subjects.

The frequent minorities which happened in Scotland.

VII. The calamities which befell our kings contributed more than any other cause to diminish the royal authority. Never was any race of monarchs so unfortunate as the Scottish. Of six successive princes, from Robert the third to James the sixth, not one died a natural death; and the minorities, during that time, were longer, and more frequent, than ever happened in any other kingdom. From Robert Bruce to James the sixth, we reckon ten princes; and seven of these were called to the throne while they were minors, and almost infants. Even the most regular and best-established governments feel sensibly the pernicious effects of a minority, and either become languid and inactive, or are thrown into violent and unnatural convulsions. But, under the imperfect and ill-adjusted system of govern-

ment in Scotland, these effects were still more fatal; the fierce and mutinous spirit of the nobles, unrestrained by the authority of a king, scorned all subjection to the delegated jurisdiction of a regent, or to the feeble commands of a minor. The royal authority was circumscribed within narrower limits than ever; the prerogatives of the crown, naturally inconsiderable, were reduced almost to nothing; and the aristocratical power gradually rose upon the ruins of the monarchical. Lest the personal power of a regent should enable him to act with too much vigour, the authority annexed to that office was sometimes rendered inconsiderable, by being divided; or, if a single regent was chosen, the greater nobles, and the heads of the more illustrious families, were seldom raised to that dignity. It was often conferred upon men who possessed little influence, and excited no jealousy. They, conscious of their own weakness, were obliged to overlook some irregularities, and to permit others; and, in order to support their authority, which was destitute of real strength, they endeavoured to gain the most powerful and active barons, by granting them possessions and immunities, which raised them to still greater power. When the king himself came to assume the reins of government, he found his revenues wasted or alienated, the crown lands seized or given away, and the nobles so accustomed to independence, that, after the struggles of a whole reign, he was seldom able to reduce them to the same state in which they had been at the beginning of his minority, or to wrest from them what they had usurped during that time. If we take a view of what happened to each of our kings, who was so unfortunate as to be placed in this situation, the truth and importance of this observation will fully appear.

Review of the events favourable to the nobles during each minority.

1329. David the second.

The minority of David the second, the son of Robert Bruce, was disturbed by the pretensions of Edward Baliol, who, relying on the aid of England, and on the support of some disaffected barons among the Scots,

invaded the kingdom. The success which at first attended his arms, obliged the young king to retire to France; and Baliol took possession of the throne. A small body of the nobles, however, continuing faithful to their exiled prince, drove Baliol out of Scotland; and, after an absence of nine years, David returned from France, and took the government of the kingdom into his own hands. But nobles, who were thus wasting their blood and treasure in defence of the crown, had a right to the undisturbed possession of their ancient privileges; and even some title to arrogate new ones. It seems to have been a maxim in that age, that every leader might claim, as his own, the territory which his sword had won from the enemy. Great acquisitions were gained by the nobility in that way: and to these the gratitude and liberality of David added, by distributing among such as adhered to him, the vast possessions which fell to the crown by the forfeiture of his enemies. The family of Douglas, which began to rise above the other nobles, in the reign of his father, augmented both its power and its property during his minority.

1405. James the first.

James the first was seized by the English during the continuance of a truce, and ungenerously detained a prisoner almost nineteen years. During that period, the kingdom was governed, first by his uncle Robert, duke of Albany, and then by Murdo, the son of Robert. Both these noblemen aspired to the crown; and their unnatural ambition, if we may believe most of our historians, not only cut short the days of prince David, the king's elder brother, but prolonged the captivity of James. They flattered themselves that they might step with less opposition into a throne, when almost vacant; and, dreading the king's return, as the extinction of their authority and the end of their hopes, they carried on the negotiations for obtaining his liberty with extreme remissness. At the same time, they neglected nothing that could either sooth or bribe the nobles to

approve of their scheme. They slackened the reins of government; they allowed the prerogative to be encroached upon; they suffered the most irregular acts of power, and even wanton instances of oppression, to pass with impunity; they dealt out the patrimony of the crown among those whose enmity they dreaded, or whose favour they had gained; and reduced the royal authority to a state of imbecility, from which succeeding monarchs laboured in vain to raise it.

1437. James the second. During the minority of James the second, the administration of affairs as well as the custody of the king's person were committed to sir William Crichton and sir Alexander Livingston. Jealousy and discord were the effects of their conjunct authority, and each of them, in order to strengthen himself, bestowed new power and privileges upon the great men whose aid he courted; while the young earl of Douglas, encouraged by their divisions, erected a sort of independent principality within the kingdom; and, forbidding his vassals to acknowledge any authority but his own, he created knights, appointed a privy council, named officers civil and military, assumed every ensign of royalty but the title of king, and appeared in public with a magnificence more than royal.

1460. James the third. Eight persons were chosen to govern the kingdom during the minority of James the third. Lord Boyd, however, by seizing the person of the young king, and by the ascendant which he acquired over him, soon engrossed the whole authority. He formed the ambitious project of raising his family to the same pitch of power and grandeur with those of the prime nobility; and he effected it. While intent on this, he relaxed the vigour of government, and the barons became accustomed, once more, to anarchy and independence. The power, which Boyd had been at so much pains to acquire, was of no long continuance, and the fall of his family, according to the fate of favourites, was sudden and destructive; but upon its ruins the family of Hamilton

rose, which soon attained the highest rank in the kingdom.

As the minority of James the fifth was longer, it was likewise more turbulent, than those of the preceding kings. And the contending nobles, encouraged or protected either by the king of France, or of England, formed themselves into more regular factions, and disregarded more than ever the restraints of order and authority. The French had the advantage of seeing one, devoted to their interest, raised to be regent. This was the duke of Albany, a native of France, and a grandson of James the second. But Alexander lord Home, the most eminent of all the Scottish peers who survived the fatal battle of Flowden, thwarted all his measures during the first years of his administration; and the intrigues of the queen dowager, sister of Henry the eighth, rendered the latter part of it no less feeble. Though supported by French auxiliaries, the nobles despised his authority, and, regardless either of his threats or his entreaties, peremptorily refused, two several times, to enter England, to the borders of which kingdom he had led them. Provoked by these repeated instances of contempt, the regent abandoned his troublesome station, and, retiring to France, preferred the tranquillity of a private life, to an office destitute of real authority. Upon his retreat, Douglas, earl of Angus, became master of the king's person, and governed the kingdom in his name. Many efforts were made to deprive him of his usurped authority. But the numerous vassals and friends of his family adhered to him, because he divided with them the power and emoluments of his office; the people reverenced and loved the name of Douglas; he exercised, without the title of regent, a fuller and more absolute authority than any who had enjoyed that dignity; and the ancient, but dangerous, preeminence of the Douglases seemed to be restored. James the fifth.

To these, and to many other causes, omitted or un-

observed by us, did the Scottish nobility owe that exorbitant and uncommon power, of which instances occur so frequently in our history. Nothing, however, demonstrates so fully the extent of their power, as the length of its duration. Many years after the declension of the feudal system in the other kingdoms of Europe, and when the arms or policy of princes had, everywhere, shaken, or laid it in ruins, the foundations of that ancient fabric remained, in a great measure, firm and untouched in Scotland.

The power of the feudal nobles become intolerable to princes.

The powers which the feudal institutions vested in the nobles, soon became intolerable to all the princes of Europe, who longed to possess something more than a nominal and precarious authority. Their impatience to obtain this, precipitated Henry the third of England, Edward the second, and some other weak princes, into rash and premature attempts against the privileges of the barons, in which they were disappointed or perished. Princes, of greater abilities, were content to mitigate evils which they could not cure; they sought occupation for the turbulent spirit of their nobles, in frequent wars; and allowed their fiery courage to evaporate in foreign expeditions, which, if they brought no other advantage, secured at least domestic tranquillity. But time and accidents ripened the feudal governments for destruction. Towards the end of the fifteenth century, and beginning of the sixteenth, all the princes of Europe attacked, as if by concert, the power of their nobles. Men of genius then undertook, with success, what their unskilful predecessors had attempted in vain. Lewis the eleventh of France, the most profound and the most adventurous genius of that age, began, and in a single reign almost completed, the scheme of their destruction. The sure but concealed policy of Henry the seventh of England, produced the same effect. The means, indeed, employed by these monarchs were very different. The blow which Lewis struck was sudden and fatal. The artifices of Henry

The attempts to humble the nobles successful in France and in England.

resembled those slow poisons, which waste the constitution, but become not mortal till some distant period. Nor did they produce consequences less opposite. Lewis boldly added to the crown whatever he wrested from the nobles. Henry undermined his barons, by encouraging them to sell their lands, which enriched the commons, and gave them a weight in the legislature unknown to their predecessors. But while these great revolutions were carrying on in two kingdoms with which Scotland was intimately connected, little alteration happened there; our kings could neither extend their own prerogative, nor enable the commons to encroach upon the aristocracy; the nobles not only retained most of their ancient privileges and possessions, but continued to make new acquisitions.

But the nobles continue to gather strength in Scotland.

This was not owing to the inattention of our princes, or to their want of ambition. They were abundantly sensible of the exorbitant power of the nobility, and extremely solicitous to humble that order. They did not, however, possess means sufficient for accomplishing this end. The resources of our monarchs were few, and the progress which they made was of course inconsiderable. But as the number of their followers, and the extent of their jurisdiction, were the two chief circumstances which rendered the nobles formidable; in order to counterbalance the one, and to restrain the other, all our kings had recourse to nearly the same expedients.

Our kings endeavoured to extend the royal authority.

General means towards this end.

I. Among nobles of a fierce courage, and of unpolished manners, surrounded with vassals, bold and licentious, whom they were bound by interest and honour to protect, the causes of discord were many and unavoidable. As the contending parties could seldom agree in acknowledging the authority of any common superior or judge, and their impatient spirit would seldom wait the slow decisions of justice, their quarrels were usually terminated by the sword. The offended baron assembled his vassals, and wasted the lands or

Encourage discord among the nobles.

shed the blood of his enemy. To forgive an injury, was mean; to forbear revenge, infamous or cowardly[m]. Hence quarrels were transmitted from father to son, and, under the name of 'deadly feuds,' subsisted for many generations with unmitigated rancour. It was the interest of the crown to foment rather than to extinguish these quarrels; and, by scattering or cherishing the seeds of discord among the nobles, that union, which would have rendered the aristocracy invincible, and which must at once have annihilated the prerogative, was effectually prevented. To the same cause, our kings were indebted for the success with which they sometimes attacked the most powerful chieftains. They employed private revenge to aid the impotence of public laws, and, arming against the person who had incurred their displeasure those rival families which wished his fall, they rewarded their service by sharing among them the spoils of the vanquished. But this expedient, though it served to humble individuals, did not weaken the body of the nobility. Those who were now the instruments of their prince's vengeance became, in a short time, the objects of his fear. Having acquired power and wealth by serving the crown, they, in their turn, set up for independence: and though there might be a

[m] The spirit of revenge was encouraged, not only by the manners, but, what is more remarkable, by the laws of those ages. If any person thought the prosecution of an injury offered to his family too troublesome, or too dangerous, the salique laws permitted him publicly to desist from demanding vengeance; but the same laws, in order to punish his cowardice, and want of affection to his family, deprived him of the right of succession. Hénault's Abrégé chronol. p. 81. Among the Anglo-Saxons, we find a singular institution distinguished by the name of 'sodalitium;' a voluntary association, the object whereof was the personal security of those who joined in it, and which the feebleness of government at that time rendered necessary. Among other regulations, which are contained in one of these still extant, the following deserves notice: "If any associate shall either eat or drink with a person who has killed any member of the 'sodalitium,' unless in the presence of the king, the bishop, or the count, and unless he can prove that he did not know the person, let him pay a great fine." Hickes, Dissert. epistolar. apud Thesaur. Ling. septentr. vol. i. p. 21.

fluctuation of power and of property; though old families fell, and new ones rose upon their ruins; the rights of the aristocracy remained entire, and its vigour unbroken.

Extend the jurisdiction of the king's courts.

II. As the administration of justice is one of the most powerful ties between a king and his subjects, all our monarchs were at the utmost pains to circumscribe the jurisdiction of the barons, and to extend that of the crown. The external forms of subordination, natural to the feudal system, favoured this attempt. An appeal lay from the judges and courts of the barons, to those of the king. The right, however, of judging in the first instance belonged to the nobles, and they easily found means to defeat the effect of appeals, as well as of many other feudal regulations. The royal jurisdiction was almost confined within the narrow limits of the king's demesnes, beyond which his judges claimed indeed much authority, but possessed next to none. Our kings were sensible of these limitations, and bore them with impatience. But it was impossible to overturn, in a moment, what was so deeply rooted; or to strip the nobles, at once, of privileges which they had held so long, and which were wrought almost into the frame of the feudal constitution. To accomplish this, however, was an object of uniform and anxious attention to all our princes. James the first led the way here, as well as in other instances, towards a more regular and perfect police. He made choice, among the estates of parliament, of a certain number of persons, whom he distinguished by the names of 'lords of session,' and appointed them to hold courts for determining civil causes three times in the year, and forty days at a time, in whatever place he pleased to name. Their jurisdiction extended to all matters which formerly came under the cognizance of the king's council, and, being a committee of parliament, their decisions were final. James the second obtained a law, annexing all regalities, which should be forfeited, to the crown, and declaring the

right of jurisdiction to be unalienable for the future. James the third imposed severe penalties upon those judges appointed by the barons, whose decisions should be found, on a review, to be unjust; and, by many other regulations, endeavoured to extend the authority of his own court[n]. James the fourth, on pretence of remedying the inconveniencies arising from the short terms of the court of session, appointed other judges called 'lords of daily council.' The 'session' was an ambulatory court, and met seldom; the 'daily council' was fixed, and sat constantly at Edinburgh; and, though not composed of members of parliament, the same powers which the lords of session enjoyed were vested in it. At last James the fifth erected a new court that still subsists, and which he named the 'college of justice,' the judges or 'senators' of which were called 'lords of council and session.' This court not only exercised the same jurisdiction which formerly belonged to the session and daily council, but new rights were added. Privileges of great importance were granted to its members, its forms were prescribed, its terms fixed, and regularity, power, and splendour conferred upon it[o]. The persons constituted judges in all these different courts had, in many respects, the advantage of those who presided in the courts of the barons; they were more eminent for their skill in law, their rules of proceeding were more uniform, and their decisions more consistent. Such judicatories became the objects of confidence and of veneration. Men willingly submitted their property to their determination, and their encroachments on the jurisdictions of the nobles were popular, and, for that reason, successful. By devices of a similar nature, the jurisdiction of the nobles in criminal causes was restrained, and the authority of the court of 'justiciary' extended. The crown, in this particular,

[n] Act 26. Parl. 1469. Act 94. Parl. 1493. Act 99. Parl. 1487.
[o] Keith, App. 74, etc.

gaining insensibly upon the nobles, recovered more ample authority; and the king, whose jurisdiction once resembled that of a baron, rather than that of a sovereign[P], came more and more to be considered as the head of the community and the supreme dispenser of justice to his people. These acquisitions of our kings, however, though comparatively great, were in reality inconsiderable; and, notwithstanding all their efforts, many of the separate jurisdictions possessed by the nobles remained in great vigour; and their final abo-

[P] The most perfect idea of the feudal system of government may be attained by attending to the state of Germany, and to the history of France. In the former, the feudal institutions still subsist with great vigour; and though altogether abolished in the latter, the public records have been so carefully preserved, that the French lawyers and antiquaries have been enabled, with more certainty and precision than those of any other country in Europe, to trace its rise, its progress, and revolutions. In Germany, every principality may be considered as a fief, and all its great princes as vassals, holding of the emperor. They possess all the feudal privileges; their fiefs are perpetual; their jurisdictions within their own territories separate and extensive; and the great offices of the empire are all hereditary, and annexed to particular families. At the same time the emperor retains many of the prerogatives of the feudal monarchs. Like them, his claims and pretensions are innumerable, and his power small; his jurisdiction within his own demesnes or hereditary countries is complete; beyond the bounds of these it is almost nothing; and so permanent are feudal principles, that although the feudal system be overturned in almost every particular state in Germany, and although the greater part of its princes have become absolute, the original feudal constitution of the empire still remains, and ideas peculiar to that form of government direct all its operations, and determine the rights of all its princes. Our observations with regard to the limited jurisdiction of kings under the feudal governments, are greatly illustrated by what happened in France. The feebleness and dotage of the descendants of Charlemagne encouraged the peers to usurp an independent jurisdiction. Nothing remained in the hands of the crown; all was seized by them. When Hugh Capet ascended the throne, a. d. 987, he kept possession of his private patrimony the comté of Paris; and all the jurisdiction which the kings his successors exercised for some time, was within its territories. There were only four towns in France where he could establish 'grands baillis,' or royal judges: all the other lands, towns, and baillages, belonged to the nobles. The methods to which the French monarchs had recourse for extending their jurisdiction were exactly similar to those employed by our princes. Hénault's Abrégé, p. 617, etc. De l'Esprit des Loix, liv. xxx. ch. 20, etc.

lition was reserved to a distant and more happy period.

Each of our kings pursued some plan of humbling the nobles.

But besides these methods of defending their prerogative and humbling the aristocracy, which may be considered as common to all our princes, we shall find, by taking a review of their reigns, that almost every one of our kings, from Robert Bruce to James the fifth, had formed some particular system for depressing the authority of the nobles, which was the object both of their jealousy and terrour. This conduct of our monarchs, if we rest satisfied with the accounts of their historians, must be considered as flowing entirely from their resentment against particular noblemen; and all their attempts to humble them must be viewed as the sallies of private passion, not as the consequences of any general plan of policy. But, though some of their actions may be imputed to those passions, though the different genius of the men, the temper of the times, and the state of the nation, necessarily occasioned great variety in their schemes; yet, without being chargeable with excessive refinement, we may affirm that their end was uniformly the same; and that the project of reducing the power of the aristocracy, sometimes avowed, and pursued with vigour; sometimes concealed, or seemingly suspended; was never altogether abandoned.

This proved by a review of the events in their reigns.

Robert Bruce.

No prince was ever more indebted to his nobles than Robert Bruce. Their valour conquered the kingdom, and placed him on the throne. His gratitude and generosity bestowed on them the lands of the vanquished. Property has seldom undergone greater or more sudden revolutions, than those to which it was subject at that time in Scotland. Edward the first having forfeited the estates of most of the ancient Scottish barons, granted them to his English subjects. These were expelled by the Scots, and their lands seized by new masters. Amidst such rapid changes, confusion was unavoidable; and many possessed their lands by titles extremely defective. During one of those truces between the two nations,

occasioned rather by their being weary of war than desirous of peace, Robert formed a scheme for checking the growing power and wealth of the nobles. He summoned them to appear, and to shew by what rights they held their lands. They assembled accordingly; and the question being put, they started up at once, and drew their swords, 'By these,' said they, 'we acquired our lands, and with these we will defend them.' The king, intimidated by their boldness, prudently dropped the project. But so deeply did they resent this attack upon their order, that, notwithstanding Robert's popular and splendid virtues, it occasioned a dangerous conspiracy against his life.

David his son, at first an exile in France, afterwards a prisoner in England, and involved in continual war with Edward the third, had not leisure to attend to the internal police of his kingdom, or to think of retrenching the privileges of the nobility. David the second.

Our historians have been more careful to relate the military than the civil transactions of the reign of Robert the second. Skirmishes and inroads of little consequence they describe minutely; but with regard to every thing that happened during several years of tranquillity, they are altogether silent. Robert the second.

The feeble administration of Robert the third must likewise be passed over slightly, A prince of a mean genius, and of a frail and sickly constitution, was not a fit person to enter the lists with active and martial barons or to attempt wresting from them any of their rights. Robert the third.

The civil transactions in Scotland are better known since the beginning of the reign of James the first, and a complete series of our laws supplies the defects of our historians. The English made some amends for their injustice in detaining that prince a prisoner, by their generous care of his education. During his long residence in England, he had an opportunity of observing the feudal system in a more advanced state, and refined James the first.

from many of the imperfections, which still adhered to it in his own kingdom. He saw there, nobles great, but not independent; a king powerful, though far from absolute: he saw a regular administration of government; wise laws enacted; and a nation flourishing and happy, because all ranks of men were accustomed to obey them. Full of these ideas, he returned into his native country, which presented to him a very different scene. The royal authority, never great, was now contemptible, by having been so long delegated to regents. The ancient patrimony and revenues of the crown were almost totally alienated. During his long absence the name of king was little known, and less regarded. The licence of many years had rendered the nobles independent. Universal anarchy prevailed. The weak were exposed to the rapine and oppression of the strong. In every corner some barbarous chieftain ruled at pleasure, and neither feared the king, nor pitied the people[q].

James was too wise a prince to employ open force to correct such inveterate evils. Neither the men nor the times would have borne it. He applied the gentler and less offensive remedy of laws and statutes. In a parliament, held immediately after his return he gained the confidence of his people, by many wise laws, tending visibly to reestablish order, tranquillity, and justice, in the kingdom. But, at the same time that he endeavoured to secure these blessings to his subjects, he discovered his intention to recover those possessions of which the crown had been unjustly bereaved; and, for that purpose, obtained an act, by which he was empowered to summon such as had obtained crown lands during the three last reigns, to produce the rights by

[q] A contemporary monkish writer describes these calamities very feelingly in his rude Latin: "In diebus illis, non erat lex in Scotia, sed quilibet potentiorum juniorem oppressit; et totum regnum fuit unum latrocinium! homicidia, deprædationes, incendia, et cætera maleficia remanserunt impunita; et justitia relegata extra terminos regni exulavit." Chartular. Morav. apud Innes, Essay, vol. i. p. 272.

which they held them[r]. As this statute threatened the property of the nobles, another, which passed in a subsequent parliament, aimed a dreadful blow at their power. By it the leagues and combinations which we have already described, and which rendered the nobles so formidable to the crown, were declared unlawful[s]. Encouraged by this success in the beginning of his enterprise, James's next step was still bolder and more decisive. During the sitting of parliament, he seized, at once, his cousin Murdo, duke of Albany, and his sons; the earls of Douglas, Lennox, Angus, March, and above twenty other peers and barons of prime rank. To all of them, however, he was immediately reconciled, except to Albany and his sons, and Lennox. These were tried by their peers, and condemned; for what crime is now unknown. Their execution struck the whole order with terrour, and their forfeiture added vast possessions to the crown. He seized, likewise. the earldoms of Buchan and Strathern, upon different pretexts; and that of Mar fell to him by inheritance. The patience and inactivity of the nobles, while the king was proceeding so rapidly towards aggrandizing the crown, are amazing. The only obstruction he met with was from a slight insurrection headed by the duke of Albany's youngest son, and that was easily suppressed. The splendour and presence of a king, to which the great men had been long unaccustomed, inspired reverence: James was a prince of great abilities, and conducted his operations with much prudence. He was in friendship with England, and closely allied with the French king: he was adored by the people, who enjoyed unusual security and happiness under his administration: and all his acquisitions, however fatal to the body of the nobles, had been gained by attacks upon individuals; were obtained by decisions of law; and, being founded on circumstances peculiar to the persons who

[r] Act 9. Parl. 1424. [s] Act 30. ibid.

suffered, might excite murmurs and apprehensions, but afforded no colourable pretext for a general rebellion. It was not so with the next attempt which the king made. Encouraged by the facility with which he had hitherto advanced, he ventured upon a measure that irritated the whole body of the nobility, and which the events shew either to have been entered into with too much precipitancy, or to have been carried on with too much violence. The father of George Dunbar, earl of March, had taken arms against Robert the third, the king's father; but that crime had been pardoned, and his lands restored by Robert, duke of Albany. James, on pretext that the regent had exceeded his power, and that it was the prerogative of the king alone to pardon treason, or to alienate lands annexed to the crown, obtained a sentence, declaring the pardon to be void, and depriving Dunbar of the earldom. Many of the great men held lands by no other right than what they derived from grants of the two dukes of Albany. Such a decision, though they had reason to expect it, in consequence of the statute which the king had obtained, occasioned a general alarm. Though Dunbar was, at present, the only sufferer, the precedent might be extended, and their titles to possessions which they considered as the rewards of their valour, might be subjected to the review of courts of law, whose forms of proceeding, and jurisdiction, were in a martial age little known, and extremely odious. Terrour and discontent spread fast upon this discovery of the king's intentions; the common danger called on the whole order to unite, and to make one bold stand, before they were stripped successively of their acquisitions, and reduced to a state of poverty and insignificance. The prevalence of these sentiments among the nobles encouraged a few desperate men, the friends or followers of those who had been the chief sufferers under the king's administration, to form a conspiracy against his life. The first uncertain intelligence of this was brought him, while he lay

in his camp before Roxburgh castle. He durst not confide in nobles, to whom he had given so many causes of disgust, but instantly dismissed them and their vassals, and retiring to a monastery near Perth, was soon after murdered there in the most cruel manner. All our historians mention with astonishment this circumstance of the king's disbanding his army, at a time when it was so necessary for his preservation. A king, say they, surrounded with his barons, is secure from secret treason, and may defy open rebellion. But those very barons were the persons whom he chiefly dreaded; and it is evident from this review of his administration, that he had greater reason to apprehend danger, than to expect defence, from their hands. It was the misfortune of James, that his maxims and manners were too refined for the age in which he lived. Happy! had he reigned in a kingdom more civilized; his love of peace, of justice, and of elegance, would have rendered his schemes successful; and, instead of perishing because he had attempted too much, a grateful people would have applauded and seconded his efforts to reform and to improve them.

James the second.

Crichton, the most able man of those who had the direction of affairs during the minority of James the second, had been the minister of James the first, and well acquainted with his resolution of humbling the nobility. He did not relinquish the design, and he endeavoured to inspire his pupil with the same sentiments. But what James had attempted to effect slowly and by legal means, his son and Crichton pursued with the impetuosity natural to Scotsmen, and with the fierceness peculiar to that age. William, the sixth earl of Douglas, was the first victim to their barbarous policy. That young nobleman, as we have already observed, contemning the authority of an infant prince, almost openly renounced his allegiance, and aspired to independence. Crichton, too high-spirited to bear such an insult, but too weak to curb or to bring to justice so powerful an

offender, decoyed him by many promises to an interview in the castle of Edinburgh, and, notwithstanding these, murdered both him and his brother. Crichton, however, gained little by this act of treachery, which rendered him universally odious. William, the eighth earl of Douglas, was no less powerful, and no less formidable to the crown. By forming the league which we already mentioned with the earl of Crawford and other barons, he had united against his sovereign almost one half of his kingdom. But his credulity led him into the same snare which had been fatal to the former earl. Relying on the king's promises, who had now attained to the years of manhood, and having obtained a safe-conduct under the great seal, he ventured to meet him in Stirling castle. James urged him to dissolve that dangerous confederacy into which he had entered; the earl obstinately refused; 'If you will not,' said the enraged monarch, drawing his dagger, 'this shall;' and stabbed him to the heart. An action so unworthy of a king filled the nation with astonishment and with horrour. The earl's vassals ran to arms with the utmost fury, and dragging the safeconduct, which the king had granted and violated, at a horse's tail, they marched towards Stirling, burnt the town, and threatened to besiege the castle. An accommodation, however, ensued; on what terms is not known. But the king's jealousy, and the new earl's power and resentment, prevented it from being of long continuance. Both took the field, at the head of their armies, and met near Abercorn. That of the earl, composed chiefly of borderers, was far superior to the king's, both in number and in valour; and a single battle must, in all probability, have decided whether the house of Stuart or of Douglas was henceforth to possess the throne of Scotland. But, while his troops impatiently expected the signal to engage, the earl ordered them to retire to their camp; and sir James Hamilton of Cadyow, the person in whom he placed the greatest confidence, con-

vinced of his want of genius to improve an opportunity, or of his want of courage to seize a crown, deserted him that very night. This example was followed by many; and the earl, despised or forsaken by all, was soon driven out of the kingdom, and obliged to depend for his subsistence on the friendship of the king of England. The ruin of this great family, which had so long rivalled and overawed the crown, and the terrour with which such an example of unsuccessful ambition filled the nobles, secured the king, for some time, from opposition; and the royal authority remained uncontrolled, and almost absolute. James did not suffer this favourable interval to pass unimproved; he procured the consent of parliament to laws more advantageous to the prerogative, and more subversive of the privileges of the aristocracy, than were ever obtained by any former or subsequent monarch of Scotland.

By one of these, not only all the vast possessions of the earl of Douglas were annexed to the crown, but all prior and future alienations of crown lands were declared to be void; and the king was empowered to seize them at pleasure, without any process or form of law, and oblige the possessors to refund whatever they had received from them[t]. A dreadful instrument of oppression in the hands of a prince!

Another law prohibited the wardenship of the marches to be granted hereditarily; restrained, in several instances, the jurisdiction of that office; and extended the authority of the king's courts[u].

By a third, it was enacted that no 'regality,' or exclusive right of administering justice within a man's own lands, should be granted in time to come, without the consent of parliament[x]; a condition which implied almost an express prohibition. Those nobles who already possessed that great privilege, would naturally be solicitous to prevent it from becoming common, by being

[t] Act 41. Parl. 1455. [u] Act 42. ibid. [x] Act 43. ibid.

bestowed on many. Those who had not themselves attained it, would envy others the acquisition of such a flattering distinction, and both would concur in rejecting the claims of new pretenders.

By a fourth act, all new grants of hereditary offices were prohibited, and those obtained since the death of the last king were revoked [y].

Each of these statutes undermined some of the great pillars on which the power of the aristocracy rested. During the remainder of his reign, this prince pursued the plan which he had begun, with the utmost vigour; and, had not a sudden death, occasioned by the splinter of a cannon which burst near him at the siege of Roxburgh, prevented his progress, he wanted neither genius nor courage to perfect it: and Scotland might, in all probability, have been the first kingdom in Europe which would have seen the subversion of the feudal system.

James the third.

James the third discovered no less eagerness than his father or grandfather to humble the nobility; but, far inferior to either of them in abilities and address, he adopted a plan extremely impolitic, and his reign was disastrous, as well as his end tragical. Under the feudal governments, the nobles were not only the king's ministers, and possessed of all the great offices of power or of trust; they were likewise his companions and favourites, and hardly any but them approached his person, or were entitled to his regard. But James, who both feared and hated his nobles, kept them at an unusual distance, and bestowed every mark of confidence and affection upon a few mean persons, of professions so dishonourable as ought to have rendered them unworthy of his presence. Shut up with these in his castle of Stirling, he seldom appeared in public, and amused himself in architecture, music, and other arts, which were then little esteemed. The nobles beheld the

[y] Act 44. Parl. 1456.

power and favour of these minions with indignation. Even the sanguinary measures of his father provoked them less than his neglect. Individuals alone suffered by the former; by the latter, every man thought himself injured, because all were contemned. Their discontent was much heightened by the king's recalling all rights to crown lands, hereditary offices, regalities, and every other concession which was detrimental to his prerogative, and which had been extorted during his minority. Combinations among themselves, secret intrigues with England, and all the usual preparatives for civil war, were the effects of their resentment. Alexander, duke of Albany, and John, earl of Mar, the king's brothers, two young men of turbulent and ambitious spirits, and incensed against James, who treated them with the same coldness as he did the other great men, entered deeply into all their cabals. The king detected their designs, before they were ripe for execution, and, seizing his two brothers, committed the duke of Albany to Edinburgh castle. The earl of Mar, having remonstrated with too much boldness against the king's conduct, was murdered, if we may believe our historians, by his command. Albany, apprehensive of the same fate, made his escape out of the castle, and fled into France. Concern for the king's honour, or indignation at his measures, were perhaps the motives which first induced him to join the malecontents. But James's attachment to favourites rendering him every day more odious to the nobles, the prospect of the advantages which might be derived from their general disaffection, added to the resentment which he felt on account of his brother's death and his own injuries, soon inspired Albany with more ambitious and criminal thoughts. He concluded a treaty with Edward the fourth of England, in which he assumed the name of Alexander, king of Scots; and, in return for the assistance which was promised him towards dethroning his brother, he bound himself, as soon as he

was put in possession of the kingdom, to swear fealty and do homage to the English monarch, to renounce the ancient alliance with France, to contract a new one with England, and to surrender some of the strongest castles and most valuable counties in Scotland[r]. That aid, which the duke so basely purchased at the price of his own honour, and the independence of his country, was punctually granted him, and the duke of Glocester, with a powerful army, conducted him towards Scotland. The danger of a foreign invasion obliged James to implore the assistance of those nobles whom he had so long treated with contempt. Some of them were in close confederacy with the duke of Albany, and approved of all his pretensions. Others were impatient for any event which would restore their order to its ancient preeminence. They seemed, however, to enter with zeal into the measures of their sovereign for the defence of the kingdom against its invaders[s], and took the field, at the head of a powerful army of their followers, but with a stronger disposition to redress their own grievances than to annoy the enemy; and with a fixed resolution of punishing those minions whose insolence they could no longer tolerate. This resolution they executed in the camp near Lauder, with a military despatch and rigour. Having previously concerted their plan, the earls of Angus, Huntly, Lennox, followed by almost all the barons of chief note in the army, forcibly entered the apartment of their sovereign, seized all his favourites except one Ramsay, whom they could not tear from the king, in whose arms he took shelter, and, without any form of trial, hanged them instantly over a bridge. Among the most remarkable of those who had engrossed the king's affection, were Cochran a mason, Hommil a tailor, Leonard a smith, Rogers a musician, and Torsifan a fencing-master. So despicable a retinue discovers the capriciousness of James's character, and

[r] Abercr. Mart. Atch. vol. ii. p. 443. [s] Black Acts, fol. 65.

accounts for the indignation of the nobles, when they beheld the favour, due to them, bestowed on such unworthy objects.

James had no reason to confide in an army so little under his command, and, dismissing it, shut himself up in the castle of Edinburgh. After various intrigues, Albany's lands and honours were, at length, restored to him, and he seemed even to have regained his brother's favour by some important services. But their friendship was not of long duration. James abandoned himself, once more, to the guidance of favourites; and the fate of those who had suffered at Lauder did not deter others from courting that dangerous preeminence. Albany, on pretext that an attempt had been made to take away his life by poison, fled from court, and, retiring to his castle at Dunbar, drew thither a greater number of barons than attended on the king himself. At the same time he renewed his former confederacy with Edward; the earl of Angus openly negotiated that infamous treaty; other barons were ready to concur with it; and if the sudden death of Edward had not prevented Albany's receiving any aid from England, the crown of Scotland would probably have been the reward of this unworthy combination with the enemies of his country. But, instead of any hopes of reigning in Scotland, he found, upon the death of Edward, that he could not reside there in safety; and, flying first to England and then to France, he seems from that time to have taken no part in the affairs of his native country. Emboldened by his retreat, the king and his ministers multiplied the insults which they offered to the nobility. A standing guard, a thing unknown under the feudal governments, and inconsistent with the familiarity and confidence with which monarchs then lived amidst their nobles, was raised for the king's defence, and the command of it given to Ramsay, lately created earl of Bothwell, the same person who had so narrowly escaped, when his companions were put to

death at Lauder. As if this precaution had not been sufficient, a proclamation was issued, forbidding any person to appear in arms within the precincts of the court[b]; which, at a time when no man of rank left his own house without a numerous retinue of armed followers, was, in effect, debarring the nobles from all access to the king. James, at the same time, became fonder of retirement than ever, and, sunk in indolence or superstition, or attentive only to amusements, devolved his whole authority upon his favourites. So many injuries provoked the most considerable nobles to take arms; and, having persuaded or obliged the duke of Rothesay, the king's eldest son, a youth of fifteen, to set himself at their head, they openly declared their intention of depriving James of a crown, of which he had discovered himself to be so unworthy. Roused by this danger, the king quitted his retirement, took the field, and encountered them near Bannockburn; but the valour of the borderers, of whom the army of the malecontents was chiefly composed, soon put his troops to flight, and he himself was slain in the pursuit. Suspicion, indolence, immoderate attachment to favourites, and all the vices of a feeble mind, are visible in his whole conduct; but the character of a cruel and unrelenting tyrant seems to be unjustly affixed to him by our historians. His neglect of the nobles irritated, but did not weaken them; and their discontent, the immoderate ambition of his two brothers, and their unnatural confederacies with England, were sufficient to have disturbed a more vigorous administration, and to have rendered a prince of superior talents unhappy.

The indignation which many persons of rank expressed against the conduct of the conspirators, together with the terrour of the sentence of excommunication, which the pope pronounced against them,

[b] Ferrerius, 398.

obliged them to use their victory with great moderation and humanity. Being conscious how detestable the crime of imbruing their hands in the blood of their sovereign appeared, they endeavoured to regain the good opinion of their countrymen, and to atone for the treatment of the father, by their loyalty and duty towards the son. They placed him instantly on the throne, and the whole kingdom soon united in acknowledging his authority.

James the fourth.

James the fourth was naturally generous and brave; he felt, in an high degree, all the passions which animate a young and noble mind. He loved magnificence, he delighted in war, and was eager to obtain fame. During his reign, the ancient and hereditary enmity between the king and nobles seems almost entirely to have ceased. He envied not their splendour, because it contributed to the ornament of his court; nor did he dread their power, which he considered as the security of his kingdom, not as an object of terrour to himself. This confidence on his part met with the proper return of duty and affection on theirs; and, in his war with England, he experienced how much a king beloved by his nobles is able to perform. Though the ardour of his courage, and the spirit of chivalry, rather than the prospect of any national advantage, induced him to declare war against England, such was the zeal of his subjects for the king's glory, that he was followed by as gallant an army as ever any of his ancestors had led upon English ground. But though James himself formed no scheme dangerous or detrimental to the aristocracy, his reign was distinguished by an event extremely fatal to it; and one accidental blow humbled it more than all the premeditated attacks of preceding kings. In the rash and unfortunate battle of Flowden, a brave nobility chose rather to die than to desert their sovereign. Twelve earls, thirteen lords, five eldest sons of noblemen, and an incredible number of barons, fell

with the king[c]. The whole body of the nobles long and sensibly felt this disaster; and if a prince of full age had then ascended the throne, their consternation and feebleness would have afforded him advantages which no former monarch ever possessed.

James the fifth.

But James the fifth, who succeeded his father, was an infant of a year old; and though the office of regent was conferred upon his cousin, the duke of Albany, a man of genius and enterprise, a native of France, and accustomed to a government, where the power of the king was already great; though he made many bold attempts to extend the royal authority; though he put to death lord Home, and banished the earl of Angus, the two noblemen of greatest influence in the kingdom, the aristocracy lost no ground under his administration. A stranger to the manners, the laws, and the language of the people whom he was called to rule, he acted, on some occasions, rather like a viceroy of the French king, than the governor of Scotland; but the nobles asserted their own privileges, and contended for the interest of their country with a boldness, which convinced him of their independence, and of the impotence of his own authority. After several unsuccessful struggles, he voluntarily retired to France; and, the king being then in his thirteenth year, the nobles agreed that he should assume the government, and that eight persons should be appointed to attend him by turns, and to advise and assist him in the administration of public affairs. The earl of Angus, who was one of that number, did not long remain satisfied with such divided power. He gained some of his colleagues, removed others, and intimidated the rest. When the term of his attendance expired, he still retained authority, to which all were obliged to submit, because none of them was in a condition to dispute it. The affection of the young king was the only thing wanting, to fix and per-

[c] Aber. ii. 540.

petuate his power. But an active and high-spirited prince submitted, with great impatience, to the restraint in which he was kept. It ill suited his years, or disposition, to be confined as a prisoner within his own palace; to be treated with no respect, and to be deprived of all power. He could not, on some occasions, conceal his resentment and indignation. Angus foresaw that he had much to dread from these; and, as he could not gain the king's heart, he resolved to make sure of his person. James was continually surrounded by the earl's spies and confidents; many eyes watched all his motions, and observed every step he took. But the king's eagerness to obtain liberty eluded all their vigilance. He escaped from Falkland, and fled to the castle of Stirling, the residence of the queen his mother, and the only place of strength in the kingdom which was not in the hands of the Douglases. The nobles, of whom some were influenced by their hatred to Angus, and others by their respect for the king, crowded to Stirling, and his court was soon filled with persons of the greatest distinction. The earl, though astonished at this unexpected revolution, resolved, at first, to make one bold push for recovering his authority, by marching to Stirling, at the head of his followers; but he wanted either courage or strength to execute this resolution. In a parliament held soon after, he and his adherents were attainted, and, after escaping from many dangers, and enduring much misery, he was, at length, obliged to fly into England for refuge.

James had now not only the name, but, though extremely young, the full authority of a king. He was inferior to no prince of that age in gracefulness of person, or in vigour of mind. His understanding was good, and his heart warm; the former capable of great improvement, and the latter susceptible of the best impressions. But, according to the usual fate of princes, who are called to the throne in their infancy, his education had been neglected. His private preceptors were

more ready to flatter, than to instruct him. It was the interest of those who governed the kingdom, to prevent him from knowing too much. The earl of Angus, in order to divert him from business, gave him an early taste for such pleasures, as afterwards occupied and engrossed him more than became a king. Accordingly, we discover in James all the features of a great, but uncultivated, spirit. On the one hand, violent passions, implacable resentment, an immoderate desire of power, and the utmost rage at disappointment. On the other, love to his people, zeal for the punishment of private oppressors, confidence in his favourites, and the most engaging openness and affability of behaviour.

What he himself had suffered from the exorbitant power of the nobles, led him early to imitate his predecessors, in their attempts to humble them. The plan he formed for that purpose was more profound, more systematic, and pursued with greater constancy and steadiness, than that of any of his ancestors. And the influence of the events in his reign upon those of the subsequent period renders it necessary to explain his conduct at greater length, and to enter into a more minute detail of his actions. He had penetration enough to discover those defects in the schemes adopted by former kings, which occasioned their miscarriage. The example of James the first had taught him, that wise laws operate slowly on a rude people, and that the fierce spirit of the feudal nobles was not to be subdued by these alone. The effects of the violent measures of James the second convinced him, that the oppression of one great family is apt either to excite the suspicion and resentment of the other nobles, or to enrich with its spoils some new family, which would soon adopt the same sentiments, and become equally formidable to the crown. He saw, from the fatal end of James the third, that neglect was still more intolerable to the nobles than oppression, and that the ministry of new men and favourites was both dishonourable and dangerous to a

prince. At the same time, he felt, that the authority of the crown was not sufficient to counterbalance the power of the aristocracy, and that, without some new accession of strength, he could expect no better success in the struggle than his ancestors. In this extremity, he applied himself to the clergy, hoping that they would both relish his plan, and concur, with all their influence, in enabling him to put it in execution. Under the feudal government, the church, being reckoned a third estate, had its representatives in parliament; the number of these was considerable, and they possessed great influence in that assembly. The superstition of former kings, and the zeal of many ages of ignorance, had bestowed on ecclesiastics a great proportion of the national wealth; and the authority which they acquired, by the reverence of the people, was superior even to that which they derived from their riches. This powerful body, however, depended entirely on the crown. The popes, notwithstanding their attention to extend their usurpations, had neglected Scotland, as a distant and poor kingdom, and permitted its kings to exercise powers which they disputed with more considerable princes. The Scottish monarchs had the sole right of nomination to vacant bishoprics and abbeys[d]; and James naturally concluded, that men who expected preferment from his favour, would be willing to merit it, by promoting his designs. Happily for him, the nobles had not yet recovered the blow which fell on their order at Flowden; and, if we may judge either from their conduct, or from the character given of them by sir Ralph Sadler, the English envoy in Scotland, they were men of little genius, of no experience in business, and incapable of acting either with unanimity, or with vigour. Many of the clergy, on the other hand, were distinguished by their great abilities, and no less by their ambition. Various causes of disgust subsisted between

[d] Epist. Reg. Scot. i. 197, etc. Act 125. Parl. 1540.

them and the martial nobles, who were apt to view the pacific character of ecclesiastics with some degree of contempt, and who envied their power and wealth. By acting in concert with the king, they not only would gratify him, but avenge themselves, and hoped to aggrandize their own order, by depressing those who were their sole rivals. Secure of so powerful a concurrence, James ventured to proceed with greater boldness. In the first heat of resentment, he had driven the earl of Angus out of the kingdom; and, sensible that a person so far superior to the other nobles in abilities, might create many obstacles, which would retard or render ineffectual all his schemes, he solemnly swore, that he would never permit him to return into Scotland; and, notwithstanding the repeated solicitations of the king of England, he adhered to his vow with unrelenting obstinacy. He then proceeded to repair the fortifications of Edinburgh, Stirling, and other castles, and to fill his magazines with arms and ammunition. Having taken these precautions, by way of defence, he began to treat the nobility with the utmost coldness and reserve. Those offices, which they were apt, from long possession, to consider as appropriated to their order, were now bestowed on ecclesiastics, who alone possessed the king's ear, and, together with a few gentlemen of inferior rank, to whom he had communicated his schemes, were intrusted with the management of all public affairs. These ministers were chosen with judgment; and cardinal Beatoun, who soon became the most eminent among them, was a man of superior genius. These served the king with fidelity; they carried on his measures with vigour, with reputation, and with success. James no longer concealed his distrust of the nobles, and suffered no opportunity of mortifying them to escape. Slight offences were aggravated into real crimes, and punished with severity. Every accusation against persons of rank was heard with pleasure, every appearance of guilt was examined with rigour, and every trial proved fatal to

those who were accused: the banishing Hepburn, earl of Bothwell, for reasons extremely frivolous, beheading the eldest son of lord Forbes, without sufficient evidence of his guilt, and the condemning lady Glamis, a sister of the earl of Angus, to be burnt for the crime of witchcraft, of which even that credulous age believed her innocent, are monuments both of the king's hatred of the nobility, of the severity of his government, and of the stretches he made towards absolute power. By these acts of authority, he tried the spirit of the nobles, and how much they were willing to bear. Their patience increased his contempt for them, and added to the ardour and boldness with which he pursued his plan. Meanwhile they observed the tendency of his schemes with concern, and with resentment; but the king's sagacity, the vigilance of his ministers, and the want of a proper leader, made it dangerous to concert any measures for their defence, and impossible to act with becoming vigour. James and his counsellors, by a false step which they took, presented to them, at length, an advantage which they did not fail to improve.

Motives, which are well known, had prompted Henry the eighth to disclaim the pope's authority, and to seize the revenues of the regular clergy. His system of reformation satisfied none of his subjects. Some were enraged, because he had proceeded so far, others murmured, because he proceeded no farther. By his imperious temper, and alternate persecutions of the zealots for popery, and the converts to the protestant opinions, he was equally formidable to both. Henry was afraid that this general dissatisfaction of his people might encourage his enemies on the continent to invade his kingdom. He knew that both the pope and the emperor courted the friendship of the king of Scots, and endeavoured to engage him in an alliance against England. He resolved, therefore, to disappoint the effects of their negotiations, by entering into a closer union with his

nephew. In order to accomplish this, he transmitted to James an elaborate memorial, presenting the numerous encroachments of the see of Rome upon the rights of sovereigns[e]; and that he might induce him more certainly to adopt the same measures for abolishing papal usurpation, which had proved so efficacious in England, he sent ambassadors into Scotland, to propose a personal interview with him at York. It was plainly James's interest to accept this invitation; the assistance of so powerful an ally, the high honours which were promised him, and the liberal subsidies he might have obtained, would have added no little dignity to his domestic government, and must have greatly facilitated the execution of his favourite plan. On the other hand, a war with England, which he had reason to apprehend, if he rejected Henry's offers of friendship, was inconsistent with all his views. This would bring him to depend on his barons; an army could not be raised without their assistance. To call nobles, incensed against their prince, into the field, was to unite his enemies, to make them sensible of their own strength, and to afford them an opportunity of revenging their wrongs. James, who was not ignorant that all these consequences might follow a breach with England, listened, at first, to Henry's proposal, and consented to the interview at York. But the clergy dreaded an union, which must have been established on the ruins of the church. Henry had taken great pains to infuse into his nephew his own sentiments concerning religion, and had frequently solicited him, by ambassadors, to renounce the usurped dominion of the pope, which was no less dishonourable to princes than grievous to their subjects. The clergy had, hitherto, with great address, diverted the king from regarding these solicitations. But, in an amicable conference, Henry expected, and they feared, that James would yield to his entreaties,

[e] Strype, Eccles. Mem. i. App. 155.

or be convinced by his arguments. They knew that the revenues of the church were an alluring object to a prince who wanted money, and who loved it; that the pride and ambition of ecclesiastics raised the indignation of the nobles; that their indecent lives gave offence to the people; that the protestant opinions were spreading fast throughout the nation; and that an universal defection from the established church would be the consequence of giving the smallest degree of encouragement to these principles. For these reasons, they employed all their credit with the king, and had recourse to every artifice and insinuation, in order to divert him from a journey, which must have been so fatal to their interest. They endeavoured to inspire him with fear, by magnifying the danger to which he would expose his person, by venturing so far into England, without any security but the word of a prince, who, having violated every thing venerable and sacred in religion, was no longer to be trusted; and, by way of compensation for the sums which he might have received from Henry, they offered an annual donative of fifty thousand crowns; they promised to contribute liberally towards carrying on a war with England, and flattered him with the prospect of immense riches, arising from the forfeiture of persons who were to be tried and condemned as heretics. Influenced by these considerations, James broke his agreement with Henry, who, in expectation of meeting him, had already come to York; and that haughty and impatient monarch resented the affront, by declaring war against Scotland. His army was soon ready to invade the kingdom. James was obliged to have recourse to the nobles, for the defence of his dominions. At his command, they assembled their followers, but with the same dispositions which had animated their ancestors, in the reign of James the third, and with a full resolution of imitating their example, by punishing those to whom they imputed the grievances of which they had reason to com-

plain; and if the king's ministers had not been men of abilities, superior to those of James the third, and of considerable interest even with their enemies, who could not agree among themselves what victims to sacrifice, the camp of Fala would have been as remarkable as that of Lauder, for the daring encroachments of the nobility on the prerogative of the prince. But, though his ministers were saved by this accident, the nobles had soon another opportunity of discovering to the king their dissatisfaction with his government, and their contempt of his authority. Scarcity of provisions, and the rigour of the season, having obliged the English army, which had invaded Scotland, to retire, James imagined, that he could attack them, with great advantage, in their retreat; but the principal barons, with an obstinacy and disdain which greatly aggravated their disobedience, refused to advance a step beyond the limits of their own country. Provoked by this insult to himself, and suspicious of a new conspiracy against his ministers, the king instantly disbanded an army which paid so little regard to his orders, and returned abruptly into the heart of the kingdom.

An ambitious and high-spirited prince could not brook such a mortifying affront. His hopes of success had been rash, and his despair upon a disappointment was excessive. He felt himself engaged in an unnecessary war with England, which, instead of yielding him the laurels and triumphs that he expected, had begun with such circumstances, as encouraged the insolence of his subjects, and exposed him to the scorn of his enemies. He saw how vain and ineffectual all his projects to humble the nobles had been; and that, though, in times of peace, a prince may endeavour to depress them, they will rise, during war, to their former importance and dignity. Impatience, resentment, indignation, filled his bosom by turns. The violence of these passions altered his temper, and, perhaps, impaired his reason. He became pensive, sullen, and retired. He

seemed, through the day, to be swallowed up in profound meditation, and, through the night, he was disturbed with those visionary terrours which make impression upon a weak understanding only, or a disordered fancy. In order to revive the king's spirits, an inroad on the western borders was concerted by his ministers, who prevailed upon the barons in the neighbouring provinces to raise as many troops as were thought necessary, and to enter the enemy's country. But nothing could remove the king's aversion to his nobility, or diminish his jealousy of their power. He would not even intrust them with the command of the forces which they had assembled; that was reserved for Oliver Sinclair, his favourite, who no sooner appeared to take possession of the dignity conferred upon him, than rage and indignation occasioned an universal mutiny in the army. Five hundred English, who happened to be drawn up in sight, attacked the Scots in this disorder. Hatred to the king, and contempt of their general, produced an effect to which there is no parallel in history. They overcame the fear of death, and the love of liberty; and ten thousand men fled before a number so far inferior, without striking a single blow. No man was desirous of a victory, which would have been acceptable to the king, and to his favourite; few endeavoured to save themselves by flight; the English had the choice of what prisoners they pleased to take; and almost every person of distinction, who was engaged in the expedition, remained in their hands[f]. This astonishing event was a new proof to the king of the general disaffection of the nobility, and a new discovery of his own weakness and want of authority. Incapable of bearing these repeated insults, he found himself unable to revenge them. The deepest melan-

[f] According to an account of this event in the Hamilton manuscripts, about thirty were killed, above a thousand were taken prisoners; and among them, a hundred and fifty persons of condition. Vol. ii. 286. The small number of the English prevented their taking more prisoners.

choly and despair succeeded to the furious transports of rage, which the first account of the rout of his army occasioned. All the violent passions, which are the enemies of life, preyed upon his mind, and wasted and consumed a youthful and vigorous constitution. Some authors of that age impute his untimely death to poison; but the diseases of the mind, when they rise to an height, are often mortal; and the known effects of disappointment, anger, and resentment, upon a sanguine and impetuous temper, sufficiently account for his unhappy fate. "His death," says Drummond, "proveth his mind to have been raised to an high strain, and above mediocrity; he could die, but could not digest a disaster." Had James survived this misfortune, one of two things must have happened: either the violence of his temper would have engaged him openly to attack the nobles, who would have found in Henry a willing and powerful protector, and have derived the same assistance from him, which the malecontents, in the succeeding reign, did from his daughter Elizabeth; in that case, a dangerous civil war must have been the certain consequence: or, perhaps, necessity might have obliged him to accept of Henry's offers, and be reconciled to his nobility; in that event, the church would have fallen a sacrifice to their union; a reformation, upon Henry's plan, would have been established by law; a great part of the temporalities of the church would have been seized; and the friendship of the king and barons would have been cemented by dividing its spoils.

Such were the efforts of our kings towards reducing the exorbitant power of the nobles. If they were not attended with success, we must not, for that reason conclude, that they were not conducted with prudence. Every circumstance seems to have combined against the crown. Accidental events concurred with political causes, in rendering the best-concerted measures abortive. The assassination of one king, the sudden death of another, and the fatal despair of a third, contributed,

no less than its own natural strength, to preserve the aristocracy from ruin.

The extraordinary influence of the Scottish kings in parliament.

Amidst these struggles, the influence, which our kings possessed in their parliaments, is a circumstance seemingly inexplicable, and which merits particular attention. As these assemblies were composed chiefly of the nobles, they, we are apt to imagine, must have dictated all their decisions; but, instead of this, every king found them obsequious to his will, and obtained such laws, as he deemed necessary for extending his authority. All things were conducted there with despatch and unanimity; and, in none of our historians, do we find an instance of any opposition formed against the court in parliament, or mention of any difficulty in carrying through the measures which were agreeable to the king. In order to account for this singular fact, it is necessary to inquire into the origin and constitution of parliament.

The reasons of it.

The genius of the feudal government, uniform in all its operations, produced the same effects in small, as in great societies; and the territory of a baron was, in miniature, the model of a kingdom. He possessed the right of jurisdiction, but those who depended on him being free men, and not slaves, could be tried by their peers only; and, therefore, his vassals were bound to attend his courts, and to assist both in passing and executing his sentences. When assembled on these occasions, they established, by mutual consent, such regulations, as tended to the welfare of their small society; and often granted, voluntarily, such supplies to their 'superior,' as his necessities required. Change now a single name; in place of baron, substitute king, and we behold a parliament, in its first rudiments, and observe the first exertions of those powers, which its members now possess as judges, as legislators, and as dispensers of the public revenues. Suitable to this idea, are the appellations of the 'king's court[s],' and of the 'king's

[s] Du Cange, voc. curia.

great council,' by which parliaments were anciently distinguished; and suitable to this, likewise, were the constituent members of which it was composed. In all the feudal kingdoms, such as held of the king in chief were bound, by the condition of their tenure, to attend and to assist in his courts. Nor was this esteemed a privilege, but a service[h]. It was exacted, likewise, of bishops, abbots, and the greater ecclesiastics, who, holding vast possessions of the crown, were deemed subject to the same burthen. Parliaments did not continue long in this state. Cities gradually acquired wealth, a considerable share of the public taxes were levied on them, the inhabitants grew into estimation, and, being enfranchised by the sovereign, a place in parliament was the consequence of their liberty, and of their importance. But, as it would have been absurd to confer such a privilege, or to impose such a burthen, on a whole community, every borough was permitted to choose one or two of its citizens to appear, in the name of the corporation; and the idea of 'representation' was first introduced in this manner. An innovation, still more important, naturally followed. The vassals of the crown were, originally, few in number, and extremely powerful; but, as it is impossible to render property fixed and permanent, many of their possessions came, gradually, and by various methods of alienation, to be split and parcelled out into different hands. Hence arose the distinction between the 'greater' and the 'lesser barons.' The former were those who retained their original fiefs undivided; the latter were the new and less potent vassals of the crown. Both were bound, however, to perform all feudal services, and, of consequence, to give attendance in parliament. To the lesser barons, who formed no inconsiderable body, this was an intolerable grievance. Barons sometimes denied their tenure, boroughs renounced their right of elect-

[h] Du Cange, voc. placitum, col. 519. Magna Charta, art. 14. Act. Jac. I. 1425. cap. 52.

ing, charters were obtained, containing an exemption from attendance; and the anxiety, with which our ancestors endeavoured to get free from the obligation of sitting in parliament, is surpassed by that only with which their posterity solicit to be admitted there. In order to accommodate both parties, at once, to secure to the king a sufficient number of members in his great council, and to save his vassals from an unnecessary burthen, an easy expedient was found out. The obligation to personal attendance was continued upon the greater barons, from which the lesser barons were exempted, on condition of their electing in each county, a certain number of 'representatives,' to appear in their name. Thus a parliament became complete in all its members, and was composed of lords spiritual and temporal, of knights of the shires, and of burgesses. As many causes contributed to bring government earlier to perfection in England than in Scotland; as the rigour of the feudal institutions abated sooner, and its defects were supplied with greater facility in the one kingdom than in the other; England led the way in all these changes, and burgesses and knights of the shire appeared in the parliaments of that nation, before they were heard of in ours. Burgesses were first admitted A.D. 1326. into the Scottish parliaments by Robert Bruce[i]; and in the preamble to the laws of Robert the third, they are ranked among the constituent members of that assembly. The lesser barons were indebted to James the first for A.D. 1427. a statute exempting them from personal attendance, and permitting them to elect representatives: the exemption was eagerly laid hold on; but the privilege was so little valued, that, except one or two instances, it lay neglected during one hundred and sixty years; and James the sixth first obliged them to send representatives regularly to parliament[k].

[i] Abercromby, i. 635.

[k] Essays on Brit. Antiq. Ess. ii. Dalrymp. Hist. of Feud. Prop. ch. 8.

A Scottish parliament, then, consisted anciently of great barons, of ecclesiastics, and a few representatives of boroughs. Nor were these divided, as in England, into two houses, but composed one assembly, in which the lord chancellor presided[1]. In rude ages, when the science of government was extremely imperfect among a martial people, unacquainted with the arts of peace, strangers to the talents which make a figure in debate, and despising them, parliaments were not held in the same estimation as at present; nor did haughty barons love those courts, in which they appeared with such evident marks of inferiority. Parliaments were often hastily assembled, and it was, probably, in the king's power, by the manner in which he issued his writs, for that purpose, to exclude such as were averse from his measures. At a time, when deeds of violence were common, and the restraints of law and decency were little regarded, no man could venture with safety to oppose the king in his own court. The great barons, or lords of parliament, were extremely few; even so late as the beginning of the reign of James the sixth[m], they amounted only to fifty-three. The ecclesiastics equalled them in number, and, being devoted implicitly to the crown, for reasons which have been already explained, rendered all hopes of victory in any struggle desperate. Nor were the nobles themselves so anxious, as might be imagined, to prevent acts of parliament favourable to the royal

[1] In England, the peers and commons seem early to have met in separate houses; and James the first, who was fond of imitating the English in all their customs, had probably an intention of introducing some considerable distinction between the greater and lesser barons in Scotland; at least he determined that their consultations should not be carried on under the direction of the same president, for by his law, a. d. 1327, it is provided, "that out of the commissioners of all the shires shall be chosen a wise and expert man, called the common speaker of the parliament, who shall propose all and sundry needs and causes pertaining to the commons in the parliament or general council." No such speaker, it would seem, was ever chosen; and, by a subsequent law, the chancellor was declared perpetual president of parliament.

[m] And. Coll. vol. i. pref. 40.

prerogative; conscious of their own strength, and of the king's inability to carry these acts into execution, without their concurrence, they trusted that they might either elude or venture to contemn them; and the statute revoking the king's property, and annexing alienated jurisdictions to the crown, repeated in every reign, and violated and despised as often, is a standing proof of the impotence of laws, when opposed to power. So many concurring causes are sufficient, perhaps, to account for the ascendant which our kings acquired in parliament. But, without having recourse to any of these, a single circumstance, peculiar to the constitution of the Scottish parliament, the mentioning of which we have hitherto avoided, will abundantly explain this fact, seemingly so repugnant to all our reasonings concerning the weakness of the king, and the power of the nobles.

As far back as our records enable us to trace the constitution of our parliaments, we find a committee distinguished by the name of 'lords of articles.' It was their business to prepare and to digest all matters, which were to be laid before the parliament. There was rarely any business introduced into parliament, but what had passed through the channel of this committee; every motion for a new law was first made there, and approved of, or rejected by the members of it; what they approved was formed into a bill, and presented to parliament; and it seems probable, that what they rejected could not be introduced into the house. This committee owed the extraordinary powers vested in it, to the military genius of the ancient nobles; too impatient to submit to the drudgery of civil business, too impetuous to observe the forms, or to enter into the details necessary in conducting it, they were glad to lay that burthen upon a small number, while they themselves had no other labour than simply to give, or to refuse, their assent to the bills which were presented to them. The lords of articles, then, not only directed all the proceedings of parlia-

ment, but possessed a negative before debate. That committee was chosen and constituted in such a manner, as put this valuable privilege entirely in the king's hands. It is extremely probable, that our kings once had the sole right of nominating the lords of articles[n]. They came afterwards to be elected by the parliament, and consisted of an equal number out of each estate, and most commonly of eight temporal and eight spiritual lords, of eight representatives of boroughs, and of the eight great officers of the crown. Of this body, the eight ecclesiastics, together with the officers of the crown, were entirely at the king's devotion, and it was scarce possible that the choice could fall on such temporal lords and burgesses, as would unite in opposition to his measures. Capable either of influencing their election, or of gaining them when elected, the king commonly found the lords of articles no less obsequious to his will, than his own privy council; and, by means of his authority with them, he could put a negative upon his parliament before debate, as well as after it; and, what may seem altogether incredible, the most limited prince in Europe actually possessed, in one instance, a

[n] It appears from authentic records, that a parliament was appointed to be held March 12, 1566, and that the lords of articles were chosen, and met on the 7th, five days before the assembling of parliament. If they could be regularly elected so long before the meeting of parliament, it is natural to conclude that the prince alone possessed the right of electing them. There are two different accounts of the manner of their election, at that time, one by Mary herself, in a letter to the archbishop of Glasgow: "We, accompanied with our nobility for the time, past to the Tolbooth of Edinburgh, for holding of our parliament on the 7th day of this instant, and elected the lords articulars." If we explain these words according to the strict grammar, we must conclude, that the queen herself elected them. It is, however, more probable, that Mary meant to say, that the nobles, then present with her, viz. her privy counsellors, and others, elected the lords of articles. Keith's Hist. of Scotland, p. 331. The other account is lord Ruthven's, who expressly affirms that the queen herself elected them. Keith's Append. 126. Whether we embrace the one or the other of these opinions, is of no consequence. If the privy counsellors and nobles, attending the court, had a right to elect the lords of articles, it was equally advantageous for the crown, as if the prince had had the sole nomination of them.

prerogative which the most absolute could never attain [o].

[o] Having deduced the history of the committee of lords of articles as low as the subject of this preliminary book required, it may be agreeable, perhaps, to some of my readers, to know the subsequent variations in this singular institution, and the political use which our kings made of these. When parliaments became more numerous, and more considerable, by the admission of the representatives of the lesser barons, the preserving their influence over the lords of articles became, likewise, an object of greater importance to our kings. James the sixth, on pretence that the lords of articles could not find leisure to consider the great multitude of affairs laid before them, obtained an act, appointing four persons to be named out of each 'estate,' who should meet twenty days before the commencement of parliament[1], to receive all supplications, etc. and, rejecting what they thought frivolous, should engross in a book what they thought worthy the attention of the lords of articles. No provision is made in the act for the choice of this select body, and the king would, of course, have claimed that privilege. In 1633, when Charles the first was beginning to introduce those innovations which gave so much offence to the nation, he dreaded the opposition of his parliament, and, in order to prevent that, an artifice was made use of to secure the lords of articles for the crown. The temporal peers were appointed to choose eight bishops, and the bishops eight peers; these sixteen met together, and elected eight knights of the shire, and eight burgesses, and to these the crown officers were added as usual. If we can only suppose eight persons of so numerous a body, as the peers of Scotland were become by that time, attached to the court, these, it is obvious, would be the men whom the bishops would choose, and, of consequence, the whole lords of articles were the tools and creatures of the king. This practice, so inconsistent with liberty, was abolished during the civil war; and the statute of James the sixth was repealed. After the restoration, parliaments became more servile than ever. What was only a temporary device, in the reign of Charles the first, was then converted into a standing law. "For my part," says the author from whom I have borrowed many of these particulars, "I should have thought it less criminal in our restoration parliament, to have openly bestowed upon the king a negative before debate, than, in such an under-hand artificial manner, to betray their constituents, and the nation." Essays on Brit. Antiq. 55. It is probable, however, from a letter of Randolph's to Cecil, 10 Aug. 1560, printed in the appendix, that this parliament had some appearance of ancient precedent to justify their unworthy conduct. Various questions concerning the constituent members of the Scottish parliament; concerning the æra at which the representatives of boroughs were introduced into that assembly; and concerning the origin and power of the committee of lords of articles, occur, and have been agitated with great warmth. Since the first publication of

[1] Act 222. Parl. 1594.

State of Europe, at the beginning of the sixteenth century.

To this account of the internal constitution of Scotland, it will not be improper to add a view of the political state of Europe, at that period, where the following history commences. A thorough knowledge of that general system, of which every kingdom in Europe forms a part, is not less requisite towards understanding the history of a nation, than an acquaintance with its peculiar government and laws. The latter may enable us to comprehend domestic occurrences and revolutions; but, without the former, foreign transactions must be altogether mysterious and unintelligible. By attending to this, many dark passages in our history may be placed in a clear light; and where the bulk of historians have seen only the effect, we may be able to discover the cause.

The subversion of the feudal government in France, and its declension in the neighbouring kingdoms, occasioned a remarkable alteration in the political state of Europe. Kingdoms, which were inconsiderable, when broken, and parcelled out among nobles, acquired firmness and strength, by being united into a regular monarchy. Kings became conscious of their own power and importance. They meditated schemes of conquest, and engaged in wars at a distance. Numerous armies were raised, and great taxes imposed for their subsistence. Considerable bodies of infantry were kept in constant pay; that service grew to be honourable; and cavalry, in which the strength of European armies had, hitherto, consisted, though proper enough for the short and voluntary excursions of barons, who served at their own expense, were found to be unfit either for making or defending any important conquest.

It was in Italy, that the powerful monarchs of France and Spain and Germany first appeared to make a trial of their new strength. The division of that country into

this work, all these disputed points have been considered with calmness and accuracy in Mr. Wight's Inquiry into the Rise and Progress of Parliament, etc. 4to. edit. p. 17, etc.

many small states, the luxury of the people, and their effeminate aversion to arms, invited their more martial neighbours to an easy prey. The Italians, who had been accustomed to mock battles only, and to decide their interior quarrels by innocent and bloodless victories, were astonished, when the French invaded their country, at the sight of real war; and, as they could not resist the torrent, they suffered it to take its course, and to spend its rage. Intrigue and policy supplied the want of strength. Necessity and self-preservation led that ingenious people to the great secret of modern politics, by teaching them how to balance the power of one prince, by throwing that of another into the opposite scale. By this happy device, the liberty of Italy was long preserved. The scales were poized by very skilful hands; the smallest variations were attended to, and no prince was allowed to retain any superiority, that could be dangerous.

A system of conduct, pursued with so much success in Italy, was not long confined to that country of political refinement. The maxim of preserving a balance of power is founded so much upon obvious reasoning, and the situation of Europe rendered it so necessary, that it soon became a matter of chief attention to all wise politicians. Every step any prince took was observed by all his neighbours. Ambassadors, a kind of honourable spies, authorized by the mutual jealousy of kings, resided almost constantly at every different court, and had it in charge to watch all its motions. Dangers were foreseen at a greater distance, and prevented with more ease. Confederacies were formed to humble any power which rose above its due proportion. Revenge or self-defence were no longer the only causes of hostility, it became common to take arms out of policy; and war, both in its commencement and its operations, was more an exercise of the judgment, than of the passions of men. Almost every war in Europe became general, and the most inconsiderable states acquired

importance, because they could add weight to either scale.

Francis the first, who mounted the throne of France in the year one thousand five hundred and fifteen, and Charles the fifth, who obtained the imperial crown in the year one thousand five hundred and nineteen, divided between them the strength and affections of all Europe. Their perpetual enmity was not owing solely either to personal jealousy, or to the caprice of private passion, but was founded so much in nature and true policy, that it subsisted between their posterity for several ages. Charles succeeded to all the dominions of the house of Austria. No family had ever gained so much by wise and fortunate marriages. By acquisitions of this kind, the Austrian princes rose, in a short time, from obscure counts of Hapsbourg, to be archdukes of Austria and kings of Bohemia, and were in possession of the imperial dignity by a sort of hereditary right. Besides these territories in Germany, Charles was heir to the crown of Spain, and to all the dominions which belonged to the house of Burgundy. The Burgundian provinces engrossed, at that time, the riches and commerce of one half of Europe; and he drew from them, on many occasions, those immense sums, which no people, without trade and liberty, are able to contribute. Spain furnished him a gallant and hardy infantry, to whose discipline he was indebted for all his conquests. At the same time, by the discovery of the new world, a vein of wealth was opened to him, which all the extravagance of ambition could not exhaust. These advantages rendered Charles the first prince in Europe; but he wished to be more, and openly aspired to universal monarchy. His genius was of that kind which ripens slowly, and lies long concealed; but it grew up, without observation, to an unexpected height and vigour. He possessed, in an eminent degree, the characteristic virtues of all the different races of princes to whom he was allied. In forming his schemes, he dis-

covered all the subtilty and penetration of Ferdinand his grandfather; he pursued them with that obstinate and inflexible perseverance which has ever been peculiar to the Austrian blood; and, in executing them, he could employ the magnanimity and boldness of his Burgundian ancestors. His abilities were equal to his power; and neither of them would have been inferior to his designs, had not providence, in pity to mankind, and in order to preserve them from the worst of all evils, universal monarchy, raised up Francis the first, to defend the liberty of Europe. His dominions were less extensive, but more united, than the emperor's. His subjects were numerous, active, and warlike, lovers of glory, and lovers of their king. To Charles, power was the only object of desire, and he pursued it with an unwearied and joyless industry. Francis could mingle pleasure and elegance with his ambition; and, though he neglected some advantages, which a more phlegmatic or more frugal prince would have improved, an active and intrepid courage supplied all his defects, and checked or defeated many of the emperor's designs.

The rest of Europe observed all the motions of these mighty rivals with a jealous attention. On the one side, the Italians saw the danger which threatened christendom, and, in order to avert it, had recourse to the expedient, which they had often employed with success. They endeavoured to divide the power of the two contending monarchs into equal scales, and, by the union of several small states, to counterpoize him whose power became too great. But what they concerted with much wisdom, they were able to execute with little vigour; and intrigue and refinement were feeble fences against the encroachments of military power.

On the other side, Henry the eighth, of England, held the balance with less delicacy, but with a stronger hand. He was the third prince of the age in dignity and in power; and the advantageous situation of his dominions, his domestic tranquillity, his immense wealth,

and absolute authority, rendered him the natural guardian of the liberty of Europe. Each of the rivals courted him with emulation; he knew it to be his interest to keep the balance even, and to restrain both, by not joining entirely with either of them. But he was seldom able to reduce his ideas to practice; he was governed by caprice more than by principle; and the passions of the man were an over-match for the maxims of the king. Vanity and resentment were the great springs of all his undertakings, and his neighbours easily found the way, by touching these, to force him upon many rash and inconsistent enterprises. His reign was a perpetual series of blunders in politics; and while he esteemed himself the wisest prince in Europe, he was a constant dupe to those who found it necessary, and could submit, to flatter him.

In this situation of Europe, Scotland, which had hitherto wasted her strength, in the quarrels between France and England, emerged from her obscurity, took her station in the system, and began to have some influence upon the fate of distant nations. Her assistance was frequently of consequence to the contending parties, and the balance was often so nicely adjusted, that it was in her power to make it lean to either side. The part assigned her, at this juncture, was to divert Henry from carrying his arms into the continent. That prince having routed the French at Guinegat and invested Terouenne, France attempted to divide his forces, by engaging James the fourth in that unhappy expedition which ended with his life. For the same reason, Francis encouraged and assisted the duke of Albany to ruin the families of Angus and Home, which were in the interest of England, and would willingly have persuaded the Scots to revenge the death of their king, and to enter into a new war with that kingdom. Henry and Francis having united, not long after, against the emperor, it was the interest of both kings, that the Scots should continue inactive; and a long tranquillity

was the effect of their union. Charles endeavoured to break this, and to embarrass Henry by another inroad of the Scots. For this end, he made great advances to James the fifth, flattering the vanity of the young monarch, by electing him a knight of the Golden Fleece, and by offering him a match in the imperial family; while, in return for these empty honours, he demanded of him to renounce his alliance with France, and to declare war against England. But James, who had much to lose, and who could gain little, by closing with the emperor's proposals, rejected them with decency, and, keeping firm to his ancient allies, left Henry at full liberty to act upon the continent with his whole strength.

Henry himself began his reign, by imitating the example of his ancestors, with regard to Scotland. He held its power in such extreme contempt, that he was at no pains to gain its friendship; but, on the contrary, he irritated the whole nation, by reviving the antiquated pretensions of the crown of England to the sovereignty over Scotland. But his own experience, and the examples of his enemies, gave him a higher idea of its importance. It was impossible to defend an open and extensive frontier against the incursions of an active and martial people. During any war on the continent, this obliged him to divide the strength of his kingdom. It was necessary to maintain a kind of army of observation in the north of England; and, after all precautions, the Scottish borderers, who were superior to all mankind in the practice of irregular war, often made successful inroads, and spread terrour and desolation over many counties. He fell, at last, upon the true secret of policy, with respect to Scotland, which his predecessors had too little penetration to discover, or too much pride to employ. The situation of the country, and the bravery of the people, made the conquest of Scotland impossible; but the national poverty, and the violence of faction, rendered it an easy matter to divide

and to govern it. He abandoned, therefore, the former design, and resolved to employ his utmost address in executing the latter. It had not yet become honourable for one prince to receive pay from another, under the more decent name of a subsidy. But, in all ages, the same arguments have been good in courts, and of weight with ministers, factious leaders, and favourites. What were the arguments, by which Henry brought over so many to his interest, during the minority of James the fifth, we know by the original warrant still extant[p], for remitting considerable sums into Scotland. By a proper distribution of these, many persons of note were gained to his party, and a faction, which held secret correspondence with England, and received all its directions from thence, appears henceforward in our domestic contests. In the sequel of the history, we shall find Henry labouring to extend his influence in Scotland. His successors adopted the same plan, and improved upon it. The affairs of the two kingdoms became interwoven, and their interests were often the same. Elizabeth divided her attention almost equally between them; and the authority which she inherited in the one, was not greater than that which she acquired in the other.

[p] Burn. Hist. Ref. vol. i. p. 7.

THE

# HISTORY OF SCOTLAND.

## THE SECOND BOOK.

MARY, queen of Scots, the daughter of James the fifth, and of Mary of Guise, was born a few days before the death of her father. The situation in which he left the kingdom alarmed all ranks of men with the prospect of a turbulent and disastrous reign. A war against England had been undertaken without necessity, and carried on without success. Many persons of the first rank had fallen into the hands of the English, in the unfortunate rout near the firth of Solway, and were still prisoners at London. Among the rest of the nobles there was little union either in their views or in their affections; and the religious disputes, occasioned by the opinions of the reformers, growing every day more violent, added to the rage of those factions, which are natural to a form of government nearly aristocratical. Birth of Mary, December 8, 1542, and state of the kingdom.

The government of a queen was unknown in Scotland, and did not imprint much reverence in the minds of a martial people. The government of an infant queen was still more destitute of real authority; and the prospect of a long and feeble minority invited to faction, by the hope of impunity. James had not even provided the common remedy against the disorders of a minority, by committing to proper persons the care of his daughter's education, and the administration of affairs in her name. Though he saw the clouds gathering, and foretold that they would quickly burst into a storm, he was so little able to disperse them, or to defend his daughter

and kingdom against the imminent calamities, that, in mere despair, he abandoned them both to the mercy of fortune, and left open to every pretender the office of regent, which he could not fix to his own satisfaction.

Pretensions of cardinal Beatoun to the regency.

Cardinal Beatoun, who had for many years been considered as prime minister, was the first that claimed that high dignity; and, in support of his pretensions, he produced a testament[a], which he himself had forged in the name of the late king; and, without any other right, instantly assumed the title of regent. He hoped, by the assistance of the clergy, the countenance of France, the connivance of the queen dowager, and the support of the whole popish faction, to hold by force what he had seized on by fraud. But Beatoun had enjoyed power too long to be a favourite of the nation. Those among the nobles who wished for a reformation in religion dreaded his severity, and others considered the elevation of a churchman to the highest office in the kingdom, as a depression of themselves. At their instigation, James Hamilton, earl of Arran, and next heir to the queen, roused himself from his inactivity, and was prevailed on to aspire to that station, to which proximity of blood gave him a natural title. The nobles, who were assembled for that purpose, unanimously conferred on him the office of regent; and the public voice applauded their choice[b].

Earl of Arran chosen regent.

Character of Beatoun.

No two men ever differed more widely in disposition and character, than the earl of Arran and cardinal Beatoun. The cardinal was, by nature, of immoderate ambition: by long experience he had acquired address and refinement; and insolence grew upon him from continual success. His high station in the church placed him in the way of great civil employments; his abilities were equal to the greatest of these; nor did he reckon any of them to be above his merit. As his own emi-

[a] Sadler's Lett. 161. Haynes, State Papers, 486.

[b] Epist. Reg. Scot. vol. ii. p. 308.

nence was founded upon the power of the church of Rome, he was a zealous defender of that superstition, and, for the same reason, an avowed enemy to the doctrine of the reformers. Political motives alone determined him to support the one, or to oppose the other. His early application to public business kept him unacquainted with the learning and controversies of the age; he gave judgment, however, upon all points in dispute, with a precipitancy, violence, and rigour, which contemporary historians mention with indignation.

Character of Arran.

The character of the earl of Arran was, in almost every thing, the reverse of Beatoun's. He was neither infected with ambition, nor inclined to cruelty. The love of ease extinguished the former, the gentleness of his temper preserved him from the latter. Timidity and irresolution were his predominant failings; the one occasioned by his natural constitution, and the other arising from a consciousness that his abilities were not equal to his station. With these dispositions he might have enjoyed and adorned private life; but his public conduct was without courage, or dignity, or consistence; the perpetual slave of his own fears, and, by consequence, the perpetual tool of those who found their advantage in practising upon them. But, as no other person could be set in opposition to the cardinal, with any probability of success, the nation declared in his favour with such general consent, that the artifices of his rival could not withstand its united strength.

Schemes of Henry the eighth, with regard to Scotland.

The earl of Arran had scarce taken possession of his new dignity, when a negotiation was opened with England, which gave birth to events of the most fatal consequence to himself, and to the kingdom. After the death of James, Henry the eighth was no longer afraid of any interruption from Scotland to his designs against France; and immediately conceived hopes of rendering this security perpetual, by the marriage of Edward, his only son, with the young queen of Scots. He communicated his intentions to the prisoners taken at Solway,

and prevailed on them to favour it, by the promise of liberty, as the reward of their success. In the mean time, he permitted them to return into Scotland, that, by their presence in the parliament which the regent had called, they might be the better able to persuade their countrymen to fall in with his proposals. A cause intrusted to such able and zealous advocates, could not well miss of coming to an happy issue. All those who feared the cardinal, or who desired a change in religion, were fond of an alliance, which afforded protection to the doctrine which they had embraced, as well as to their own persons, against the rage of that powerful and haughty prelate.

Ill conducted by himself.

But Henry's rough and impatient temper was incapable of improving this favourable conjuncture. Address and delicacy in managing the fears, and follies, and interests of men, were arts with which he was utterly unacquainted. The designs he had formed upon Scotland were obvious from the marriage which he had proposed, and he had not dexterity enough to disguise or to conceal them. Instead of yielding to the fear or jealousy of the Scots, what time and accidents would soon have enabled him to recover, he, at once, alarmed and irritated the whole nation, by demanding that the queen's person should be immediately committed to his custody, and that the government of the kingdom should be put into his hands during her minority.

Odious to the Scots, though in part accepted by them.

Henry could not have prescribed more ignominious conditions to a conquered people, and it is no wonder they were rejected, with indignation, by men who scorned to purchase an alliance with England at the price of their own liberty. The parliament of Scotland, however, influenced by the nobles who returned from England; desirous of peace with that kingdom; and delivered, by the regent's confining the cardinal as a prisoner, from an opposition to which he might have given rise; consented to a treaty of marriage and of union, but upon terms somewhat more equal. After some dark and unsuccess-

March 12, 1543.

ful intrigues, by which his ambassador endeavoured to carry off the young queen and cardinal Beatoun into England, Henry was obliged to give up his own proposals, and to accept of theirs. On his side, he consented that the queen should continue to reside in Scotland, and himself remain excluded from any share in the government of the kingdom. On the other hand, the Scots agreed to send their sovereign into England, as soon as she attained the full age of ten years, and instantly to deliver six persons of the first rank, to be kept as hostages by Henry till the queen's arrival at his court.

Favoured by the regent.

The treaty was still so manifestly of advantage to England, that the regent lost much of the public confidence by consenting to it. The cardinal, who had now recovered liberty, watched for such an opportunity of regaining credit, and he did not fail to cultivate and improve this to the utmost. He complained loudly that the regent had betrayed the kingdom to its most inveterate enemies, and sacrificed its honour to his own ambition. He foretold the extinction of the true catholic religion, under the tyranny of an excommunicated heretic; but, above all, he lamented to see an ancient kingdom consenting to its own servitude, descending into the ignominious station of a dependent province; and, in one hour, the weakness or treachery of a single man surrendering every thing for which the Scottish nation had struggled and fought during so many ages. These remonstrances of the cardinal were not without effect. They were addressed to prejudices and passions, which are deeply rooted in the human heart. The same hatred to the ancient enemies of their country, the same jealousy of national honour, and pride of independence, which, at the beginning of the present century, went near to prevent the Scots from consenting to an union with England, upon terms of great advantage, did, at that time, induce the whole nation to declare against the alliance which had been concluded. In the one period,

Opposed by the cardinal.

an hundred and fifty years of peace between the two nations, the habit of being subjected to the same king, and governed by the same maxims, had considerably abated old animosities, and prepared both people for incorporating. In the other, injuries were still fresh, the wounds on both sides were open, and, in the warmth of resentment, it was natural to seek revenge, and to be averse from reconcilement. At the union, in one thousand seven hundred and seven, the wisdom of parliament despised the groundless murmurs occasioned by antiquated prejudices; but in one thousand five hundred and forty-three, the complaints of the nation were better founded, and urged with a zeal and unanimity, which it is neither just nor safe to disregard. A rash measure of the English monarch added greatly to the violence of this national animosity. The Scots, relying on the treaty of marriage and union, fitted out several ships for France, with which their trade had been interrupted for some time. These were driven by stress of weather to take refuge in different ports of England; and Henry, under pretext that they were carrying provisions to a kingdom with which he was at war, ordered them to be seized and condemned as lawful prizes[c]. The Scots, astonished at this proceeding of a prince, whose interest it was manifestly, at that juncture, to court and to sooth them, felt it not only as an injury, but as an insult, and expressed all the resentment natural to an high-spirited people[d]. Their rage rose to such an height, that the English ambassador could hardly be protected from it. One spirit seemed now to animate all orders of men. The clergy offered to contribute a great sum towards preserving the church from the dominion of a prince, whose system of reformation was so fatal to their power. The nobles, after having mortified the cardinal so lately

[c] Keith, 32. 34. Epist. Reg. Scot. ii. App. 311. Hamilton manuscripts, vol. i. p. 389.

[d] In the manuscript collection of papers belonging to the duke of Hamilton, sir Ralph Sadler describes the spirit of the Scots as extremely out-

in such a cruel manner, were now ready to applaud and to second him, as the defender of the honour and liberty of his country.

Argyll, Huntly, Bothwell, and other powerful barons, declared openly against the alliance with England. By their assistance, the cardinal seized on the persons of the young queen and her mother, and added to his party the splendour and authority of the royal name [e]. He received, at the same time, a more real accession to his strength, by the arrival of Matthew Stewart, earl of Lennox, whose return from France he had earnestly solicited. This young nobleman was the hereditary enemy of the house of Hamilton. He had many claims upon the regent, and pretended a right to exclude him, not only from succeeding to the crown, but to deprive him of the possession of his private fortune. The cardinal flattered his vanity with the prospect of marrying the queen dowager, and affected to treat him with so

He excites almost the whole nation against the English.

rageous. In his letter from Edinburgh, September 1, 1543, he says: "The stay of the ships has brought the people of this town, both men and women, and especially the merchants, into such a rage and fury, that the whole town is commoved against me, and swear great oaths, that if their ships are not restored, that they would have their amends of me and mine, and that they would set my house here on fire over my head, so that one of us should not escape alive; and also it hath much incensed and provoked the people against the governor, saying, that he hath coloured a peace with your majesty only to undo them. This is the unreasonableness of the people, which live here in such a beastly liberty, that they neither regard God nor governor; nor yet justice, or any good policy, doth take place among them; assuring your highness that, unless the ships be delivered, there will be none abiding here for me without danger." Vol. i. 451. In his letter of September 5, he writes that the rage of the people still continued so violent, "that neither I nor any of my folks dare go out of my doors; and the provost of the town, who hath much ado to stay them from assaulting me in my house, and keepeth watch therefore nightly, hath sent to me sundry times, and prayed me to keep myself and my folks within, for it is scant in his power to repress or resist the fury of the people. They say plainly, I shall never pass out of the town alive, except they have their ships restored. This is the rage and beastliness of this nation, which God keep all honest men from." Ib. 471.

[e] Keith's Hist. of Scotl. 30.

much respect, that the regent became jealous of him, as a rival in power.

This suspicion was artfully heightened by the abbot of Paisley, who returned into Scotland some time before the earl of Lennox, and acted in concert with the cardinal. He was a natural brother of the regent, with whom he had great credit; a warm partisan of France, and a zealous defender of the established religion. He took hold of the regent by the proper handle, and endeavoured to bring about a change in his sentiments, by working upon his fears. The desertion of the nobility, the disaffection of the clergy, and the rage of the people; the resentment of France, the power of the cardinal, and the pretensions of Lennox; were all represented with aggravation, and with their most threatening aspect.

Meanwhile, the day appointed for the ratification of the treaty with England, and the delivery of the hostages, approached, and the regent was still undetermined in his own mind. He acted to the last, with that irresolution and inconsistence which is peculiar to weak men, when they are so unfortunate as to have the chief part in the conduct of difficult affairs. On the twenty-fifth of August, he ratified a treaty with Henry[f], and proclaimed the cardinal, who still continued to oppose it, an enemy to his country. On the third of September he secretly withdrew from Edinburgh, met with the cardinal at Callendar, renounced the friendship of England, and declared for the interests of France[g].

Obliges the regent to renounce the friendship with England;

Henry, in order to gain the regent, had not spared the most magnificent promises. He had offered to give the princess Elizabeth in marriage to his eldest son, and to constitute him king of that part of Scotland which lies beyond the river Forth. But, upon finding his interest in the kingdom to be less considerable than

[f] Rymer, Fœd. xv. p. 4.

[g] Sadler, 339. 356. Hamilton manuscripts, i. 470, etc.

he had imagined, the English monarch began to treat him with little respect. The young queen was now in the custody of his enemies, who grew every day more numerous and more popular. They formed a separate court at Stirling, and threatened to elect another regent. The French king was ready to afford them his protection, and the nation, out of hatred to the English, would have united in their defence. In this situation, the regent could not retain his authority, without a sudden change of his measures; and, though he endeavoured, by ratifying the treaty, to preserve the appearances of good faith with England, he was obliged to throw himself into the arms of the party which adhered to France.

and to persecute the reformers.

Soon after this sudden revolution in his political principles, the regent changed his sentiments concerning religion. The spirit of controversy was then new and warm; books of that kind were eagerly read by men of every rank; the love of novelty, or the conviction of truth, had led the regent to express great esteem for the writings of the reformers; and having been powerfully supported by those who had embraced their opinions, he, in order to gratify them, entertained, in his own family, two of the most noted preachers of the protestant doctrine, and, in his first parliament, consented to an act, by which the laity were permitted to read the scriptures in a language which they understood[h]. Truth needed only a fair hearing to be an over-match for errour. Absurdities, which had long imposed on the ignorance and credulity of mankind, were detected and exposed to public ridicule; and, under the countenance of the regent, the reformation made great advances. The cardinal observed its progress with concern, and was at the utmost pains to obstruct it. He represented to the regent his great imprudence in giving encouragement to opinions so favourable to

[h] Keith, p. 36, 37.

Lennox's pretensions; that his own legitimacy depended upon the validity of a sentence of divorce, founded on the pope's authority; and that, by suffering it to be called in question, he weakened his own title to the succession, and furnished his rival with the only argument by which it could be rendered doubtful[1]. These insinuations made a deep impression on the regent's timorous spirit, who, at the prospect of such imaginary danger, was as much startled as the cardinal could have wished; and his zeal for the protestant religion was not long proof against his fear. He publicly abjured the doctrine of the reformers in the Franciscan church at Stirling, and declared not only for the political, but the religious opinions of his new confidents.

The protestant doctrine did not suffer much by his apostacy. It had already taken so deep root in the kingdom, that no discouragement or severity could extirpate it. The regent, indeed, consented to every thing that the zeal of the cardinal thought necessary for the preservation of the established religion. The reformers were persecuted with all the cruelty which superstition inspires into a barbarous people. Many were condemned to that dreadful death, which the church has appointed for the punishment of its enemies; but they suffered with a spirit so nearly resembling the patience and fortitude of the primitive martyrs, that more were converted than terrified by such spectacles.

Beatoun engrosses

The cardinal, however, was now in possession of every

[1] The pretensions of the earl of Lennox to the succession were thus founded: Mary, the daughter of James the second, was married to James lord Hamilton, whom James the third created earl of Arran, on that account. Elizabeth, a daughter of that marriage, was the wife of Matthew, earl of Lennox, and the present earl was her grandson. The regent was likewise the grandson of the princess Mary. But his father having married Janet Beatoun, the regent's mother, after he had obtained a divorce from Elizabeth Home, his former wife, Lennox pretended that the sentence of divorce was unjust, and that the regent, being born while Elizabeth Home was still alive, ought to be considered as illegitimate. Crawf. Peer. 192.

thing his ambition could desire; and exercised all the authority of a regent, without the envy of the name. He had nothing to fear from the earl of Arran, who, having, by his inconsistency, forfeited the public esteem, was contemned by one half of the nation, and little trusted by the other. The pretensions of the earl of Lennox were the only thing which remained to embarrass him. He had very successfully made use of that nobleman to work upon the regent's jealousy and fear; but, as he no longer stood in need of such an instrument, he was willing to get rid of him with decency. Lennox soon began to suspect his intention; promises, flattery, and respect, were the only returns he had hitherto received for substantial services: but, at last, the cardinal's artifices could no longer be concealed, and Lennox, instead of attaining power and dignity himself, saw that he had been employed only to procure these for another. Resentment and disappointed ambition urged him to seek revenge on that cunning prelate, who, by sacrificing his interest, had so ungenerously purchased the earl of Arran's friendship. He withdrew, for that reason, from court, and declared for the party at enmity with the cardinal, which, with open arms, received a convert who added so much lustre to their cause.

the chief direction of affairs.

The two factions, which divided the kingdom, were still the same, without any alterations in their views or principles; but, by one of those strange revolutions, which were frequent in that age, they had, in the course of a few weeks, changed their leaders. The regent was at the head of the partisans of France and the defenders of popery, and Lennox in the same station with the advocates for the English alliance, and a reformation in religion. The one laboured to pull down his own work, which the other upheld with the same hand that had hitherto endeavoured to destroy it.

Lennox's impatience for revenge got the start of the cardinal's activity. He surprised both him and the regent, by a sudden march to Edinburgh with a numerous

army; and might easily have crushed them, before they could prepare for their defence. But he was weak enough to listen to proposals for an accommodation; and the cardinal amused him so artfully, and spun out the treaty to such a length, that the greater part of the earl's troops, who served, as is usual wherever the feudal institutions prevailed, at their own expense, deserted him; and in concluding a peace, instead of giving the law, he was obliged to receive it. A second attempt to retrieve his affairs ended yet more unfortunately. One body of his troops was cut to pieces, and the rest dispersed; and, with the poor remains of a ruined party, he must either have submitted to the conqueror, or have fled out of the kingdom, if the approach of an English army had not brought him a short relief.

Henry invades Scotland.

Henry was not of a temper to bear tamely the indignity with which he had been treated, both by the regent and parliament of Scotland, who, at the time when they renounced their alliance with him, had entered into a new and stricter confederacy with France. The rigour of the season retarded, for some time, the execution of his vengeance. But, in the spring, a considerable body of infantry, which was destined for France, received orders to sail for Scotland, and a proper number of cavalry was appointed to join it by land. The regent and cardinal little expected such a visit. They had trusted that the French war would find employment for all Henry's forces, and, from an unaccountable security, were wholly unprovided for the defence of the kingdom. The earl of Hertford, a leader fatal to the Scots in that age, commanded this army, and landed it, without opposition, a few miles from Leith.

May 3, 1544.

He was quickly master of that place; and, marching directly to Edinburgh, entered it with the same ease. After plundering the adjacent country, the richest and most open in Scotland, he set on fire both these towns, and, upon the approach of some troops gathered together by the regent, put his booty on board the fleet,

and, with his land forces, retired safely to the English borders; delivering the kingdom, in a few days, from the terrour of an invasion, concerted with little policy, carried on at great expense, and attended with no advantage. If Henry aimed at the conquest of Scotland, he gained nothing by this expedition; if the marriage he had proposed was still in his view, he lost a great deal. Such a rough courtship, as the earl of Huntly humorously called it, disgusted the whole nation; their aversion for the match grew into abhorrence; and, exasperated by so many indignities, the Scots were never at any period more attached to France, or more alienated from England [k].

[k] The violence of national hatred between the English and Scots, in the sixteenth century, was such as can hardly be conceived by their posterity. A proof of the fierce resentment of the Scots is contained in the note on pages 82 and 83. The instructions of the privy council of England to the earl of Hertford, who commanded the fleet and army which invaded Scotland, a. d. 1544, are dictated by a national animosity no less excessive. I found them in the collection of papers belonging to the duke of Hamilton, and they merit publication, as they exhibit a striking picture of the spirit of that period.

*The lords of the council to the earl of Hertford, lieutenant in Scotland, April* 10, 1544.

The instruction begins with observing, that the king had originally intended to fortify Leith and keep possession of it; but, after mature deliberation, he had finally determined not to make any settlement in Scotland at present, and, therefore, he is directed not to make any fortification at Leith, or any other place:

"But only for that journey to put all to fire and sword, burn Edinburgh town, so used and defaced, that when you have gotten what you can of it, it may remain for ever a perpetual memory of the vengeance of God lightened upon it, for their falsehood and disloyalty. Do what you can out of hand, and without long tarrying to beat down or overthrow the castle; sack . . . houses and as many towns and villages about Edinburgh as ye may conveniently. Sack Leith, and subvert it, and all the rest, putting man, woman, and child, to fire and sword, without exception, when any resistance shall be made against you; and, this done, pass over to the Fifeland, and extend like extremities and destruction to all towns and villages, whereunto you may reach conveniently; not forgetting, amongst all the rest, so to spoil and turn upside down the cardinal's town of St. Andrew's, as the upper sort may be the nether, and not one 'stoke' stand upon another, sparing

The earl of Lennox alone, in spite of the regent and French king, continued a correspondence with England, which ruined his own interest, without promoting Henry's[1]. Many of his own vassals, preferring their duty to their country before their affection to him, refused to concur in any design to favour the public enemy. After a few feeble and unsuccessful attempts to disturb the regent's administration, he was obliged to fly for safety to the court of England, where Henry rewarded services which he had the inclination, but not the power to perform, by giving him in marriage his niece, the lady Margaret Douglas. This unhappy exile, however, was destined to be the father of a race of kings. He saw his son, lord Darnley, mount the throne of Scotland, to the perpetual exclusion of that rival who now triumphed in his ruin. From that time his posterity have held the sceptre in two kingdoms, by one of which he was cast out as a criminal, and by the other received as a fugitive.

A peace concluded.

Meanwhile, hostilities were continued by both nations, but with little vigour on either side. The historians of that age relate minutely the circumstances of several skirmishes and inroads, which, as they did not

no creature alive within the same, specially such as either in friendship or blood be allied unto the cardinal; and, if ye see any likelyhood to win the castle, give some stout essay to the same, and, if it be your fortune to get it, raze and destroy it piecemeal; and after this sort, spending one month there, spoiling and destroying as aforesaid, with the wise foresight, that his majesty doubteth not ye will use, that your enemies take no advantage of you, and that you enterprize nothing but what you shall see may be easily achieved, his majesty thinketh verily, and so all we, ye shall find this *journey* succeedeth this way most to his majesty's honour," etc.

These barbarous orders seem to have been executed with a rigorous and unfeeling exactness, as appears from a series of letters from lord Hertford, in the same collection, giving a full account of all his operations in Scotland. They contain several curious particulars, not mentioned by the writers of that age, and with which both the historians of the city of Edinburgh were unacquainted; but they are of too great length to be inserted here.

[1] Rymer, xv. p. 22.

produce any considerable effect, at this distance of time, deserve no remembrance[m]. At last, an end was put to this languid and inactive war, by a peace, in which England, France, and Scotland were comprehended. Henry laboured to exclude the Scots from the benefit of this treaty, and to reserve them for that vengeance which his attention to the affairs of the continent had, hitherto, delayed. But, although a peace with England was of the last consequence to Francis

[m] Though this war was distinguished by no important or decisive action, it was, however, extremely ruinous to individuals. There still remain two original papers, which give us some idea of the miseries to which some of the most fertile counties in the kingdom were exposed, by the sudden and destructive incursions of the borderers. The first seems to be the report made to Henry by the English wardens of the marches for the year 1544, and contains their exploits from the 2d of July to the 17th of November. The account it gives of the different inroads, or 'forrays,' as they are called, is very minute; and, in conclusion, the sum total of mischief they did is thus computed:

| | |
|---|---|
| Towns, towers, stedes, barnekyns, parishe-churches, bastel-houses, cast down or burnt | 192 |
| Scots slain | 403 |
| Prisoners taken | 816 |
| Nolt, i. e. horned cattle, taken | 10,386 |
| Sheep | 12,492 |
| Nags and geldings | 1,296 |
| Goats | 200 |
| Bolls of corn | 850 |

Insight gear, i. e. household furniture, not reckoned.

Haynes's State Papers, 43.

The other contains an account of an inroad by the earl of Hertford, between the 8th and 23rd of September, 1545; the narrative is more general, but it appears that he had burnt, razed, and destroyed, in the counties of Berwick and Roxburgh only,

| | |
|---|---|
| Monasteries and friar houses | 7 |
| Castles, towers, and piles | 16 |
| Market-towns | 5 |
| Villages | 243 |
| Milns | 13 |
| Hospitals | 3 |

All these were cast down or burnt. Haynes, 52. As the Scots were no less skilful in the practice of irregular war, we may conclude that the damage which they did in England was not inconsiderable; and that their 'raids' were no less wasteful than the 'forrays' of the English.

the first, whom the emperor was preparing to attack with all his forces, he was too generous to abandon allies who had served him with fidelity, and he chose rather to purchase Henry's friendship with disadvantage to himself, than to leave them exposed to danger. By yielding some things to the interest, and more to the vanity of that haughty prince; by submission, flattery, and address, he, at length, prevailed to have the Scots included in the peace agreed upon.

The murder of Beatoun.

An event which happened a short time before the conclusion of this peace, rendered it more acceptable to the whole nation. Cardinal Beatoun had not used his power with moderation, equal to the prudence by which he attained it. Notwithstanding his great abilities, he had too many of the passions and prejudices of an angry leader of a faction, to govern a divided people with temper. His resentment against one party of the nobility, his insolence towards the rest, his severity to the reformers, and, above all, the barbarous and illegal execution of the famous George Wishart, a man of honourable birth and of primitive sanctity, wore out the patience of a fierce age; and nothing but a bold hand was wanting to gratify the public wish by his destruction. Private revenge, inflamed and sanctified by a false zeal for religion, quickly supplied this want. Norman Lesly, the eldest son of the earl of Rothes, had been treated by the cardinal with injustice and contempt. It was not the temper of the man, or the spirit of the times, quietly to digest an affront. As the profession of his adversary screened him from the effects of what is called an honourable resentment, he resolved to take that satisfaction which he could not demand. This resolution deserves as much censure, as the singular courage and conduct with which he put it in execution excite wonder. The cardinal, at that time, resided in the castle of St. Andrew's, which he had fortified at great expense, and, in the opinion of the age, had rendered it impregnable. His retinue was nume-

rous, the town at his devotion, and the neighbouring country full of his dependents. In this situation, sixteen persons undertook to surprise his castle, and to assassinate himself; and their success was equal to the boldness of the attempt. Early in the morning they seized on the gate of the castle, which was set open to the workmen who were employed in finishing the fortifications; and, having placed sentries at the door of the cardinal's apartment, they awakened his numerous domestics, one by one, and turning them out of the castle, they, without noise or tumult, or violence to any other person, delivered their country, though by a most unjustifiable action, from an ambitious man, whose pride was insupportable to the nobles, as his cruelty and cunning were great checks to the reformation. May 20, 1546.

His death was fatal to the catholic religion, and to the French interest in Scotland. The same zeal for both continued among a great party in the nation, but, when deprived of the genius and authority of so skilful a leader, operated with less effect. Nothing can equal the consternation which a blow so unexpected occasioned among such as were attached to him; while the regent secretly enjoyed an event, which removed out of his way a rival, who had not only eclipsed his greatness, but almost extinguished his power. Decency, however, the honour of the church, the importunity of the queen dowager and her adherents, his engagements with France, and, above all these, the desire of recovering his eldest son, whom the cardinal had detained for some time at St. Andrew's, in pledge of his fidelity, and who, together with the castle, had fallen into the hands of the conspirators, induced him to take arms, in order to revenge the death of a man whom he hated. The regent attempts in vain to seize the murderers.

He threatened vengeance, but was unable to execute it. One part of military science, the art of attacking fortified places, was then imperfectly understood in Scotland. The weapons, the discipline, and impetuosity of the Scots, rendered their armies as unfit for sieges,

as they were active in the field. An hundred and fifty men, which was the greatest number the conspirators ever assembled, resisted all the efforts of the regent for five months[n], in a place which a single battalion, with a few battering cannon, would now reduce in a few hours. This tedious siege was concluded by a truce. The regent undertook to procure for the conspirators an absolution from the pope, and a pardon in parliament; and upon obtaining these, they engaged to surrender the castle, and to set his son at liberty.

It is probable, that neither of them was sincere in this treaty. On both sides they sought only to amuse, and to gain time. The regent had applied to France for assistance, and expected soon to have the conspirators at mercy. On the other hand, if Lesly and his associates were not at first incited by Henry to murder the cardinal, they were, in the sequel, powerfully supported by him. Notwithstanding the silence of contemporary historians, there are violent presumptions of the former; of the latter there is undoubted certainty[o]. During the siege, the conspirators had received from England supplies both of money and provisions; and, as Henry was preparing to renew his proposals concerning the marriage and the union he had projected, and to second his negotiations with a numerous army, they hoped, by concurring with him, to be in a situation in which they would no longer need a pardon, but might claim a reward[p].

[n] Epist. Reg. Scot. 2. 379. [o] Keith, 60.

[p] In the first edition of this work, I expressed my suspicion of a correspondence between the murderers of cardinal Beatoun and Henry the eighth, prior to their committing that crime. In the papers of duke Hamilton is contained the clearest evidence of this, which I publish, not only to establish that fact, but as an additional confirmation of the remarks which I made upon the frequency of assassination in that age, and the slight opinion which men entertained concerning it.

*The earl of Hertford to the king's majesty, Newcastle, April* 17, 1544.

Pleaseth your highness to understand, that this day arrived with me, the earl of Hertford, a Scottishman called Wishart, and brought me a letter

The death of Henry blasted all these hopes. It happened in the beginning of next year, after a reign of greater splendour than true glory; bustling, rather than active; oppressive in domestic government, and in foreign politics wild and irregular. But the vices of this prince were more beneficial to mankind, than the Jan. 28, 1547.

from the lord of Brinstone [i. e. Chrichton, laird of Brunstan] which I send your highness herewith, and, according to his request, have taken order for the repair of the said Wishart to your majesty by post, both for the delivery of such letters as he hath to your majesty from the said Brinstone, and also for the declaration of his credence, which, as I perceive by him, consisteth in two points; one, that the lord of Grange, late treasurer of Scotland, the master of Rothes, the earl of Rothes' eldest son, and John Charteris, would attempt either to apprehend or slay the cardinal, at some time when he shall pass through the Fifeland, as he doth sundry times in his way to St. Andrew's, and in case they can so apprehend him will deliver him unto your majesty, which attemplate, he saith, they would enterprize, if they knew your majesty's pleasure therein, and what supportation and maintenance your majesty would minister unto them, after the execution of the same, in case they should be pursued by any of their enemies; the other is, that in case your majesty would grant unto them a convenient entertainment to keep one thousand or fifteen hundred men in wages for a month or two, they journeying with the power of the earl marshal, the said Mr of Rothes, the laird of Calder, and the other the lord . . . . . friends, will take upon them, at such time as your majesty's army shall be in Scotland, to destroy the abbey and town of Arbroath, being the cardinal's, and all the other bishops, houses and countries, on that side of the water thereabout, and to apprehend all those which they say be the principal impugnators of amity between England and Scotland; for which they should have a good opportunity, as they say, when the power of the said bishops and abbots shall resort towards Edinburgh to resist your majesty's army. And for the execution of these things, the said Wishart saith, that the earl marshal aforenamed and others will capitulate with your majesty in writing under their hands and seals, afore they shall desire any supply or aid of money at your majesty's hands. This is the effect of his credence, with sundry other advertisements of the great division that is at this present within the realm of Scotland, which we doubt not he will declare unto your majesty at good length. Hamilton manuscripts, vol. iii. p. 38.

N. B. This is the letter of which Dr. Mackenzie, vol. iii. p. 18, and bishop Keith, Hist. p. 44, published a fragment. It does not authorize us to conclude that Mr. George Wishart, known by the name of the martyr, was the person who resorted to the earl of Hertford. It was, more probably, John Wishart of Pitarrow, the chief of that name, a man of abilities, zealously attached to the reformed doctrine, and deeply engaged in all the intrigues and operations of that busy period. Keith, 96. 117. 119. 315.

virtues of others. His rapaciousness, his profusion, and even his tyranny, by depressing the ancient nobility, and by adding new property and power to the commons, laid or strengthened the foundations of the English liberty. His other passions contributed no less towards the downfal of popery, and the establishment of religious freedom in the nation. His resentment led him to abolish the power, and his covetousness to seize the wealth, of the church; and, by withdrawing these supports, made it easy, in the following reign, to overturn the whole fabric of superstition.

Troops arrive from France.

Francis the first did not long survive a prince, who had been alternately his rival and his friend; but his successor, Henry the second, was not neglectful of the French interest in Scotland. He sent a considerable body of men, under the command of Leon Strozzi, to the regent's assistance. By their long experience in the Italian and German wars, the French had become as dexterous in the conduct of sieges, as the Scots were ignorant; and as the boldness and despair of the conspirators could not defend them against the superior art of these new assailants, they, after a short resistance,

Force the castle of St. Andrew's to surrender.

surrendered to Strozzi, who engaged, in the name of the king, his master, for the security of their lives; and, as his prisoners, transported them into France. The castle itself, the monument of Beatoun's power and vanity, was demolished, in obedience to the canon law, which, with admirable policy, denounces its anathemas even against the houses in which the sacred blood of a cardinal happens to be shed, and ordains them to be laid in ruins[q].

The archbishopric of St. Andrew's was bestowed by the regent upon his natural brother, John Hamilton, abbot of Paisley.

New breach with England.

The delay of a few weeks would have saved the conspirators. Those ministers of Henry the eighth, who

[q] Burn. Hist. Ref. i. 338.

had the chief direction of affairs during the minority of his son, Edward the sixth, conducted themselves, with regard to Scotland, by the maxims of their late master, and resolved to frighten the Scots into a treaty, which they had not abilities or address to bring about by any other method.

But, before we proceed to relate the events which their invasion of Scotland occasioned, we shall stop to take notice of a circumstance unobserved by contemporary historians, but extremely remarkable for the discovery it makes of the sentiments and spirit which then prevailed among the Scots. The conspirators against cardinal Beatoun found the regent's eldest son in the castle of St. Andrew's; and, as they needed the protection of the English, it was to be feared that they might endeavour to purchase it, by delivering to them this important prize. The presumptive heir to the crown in the hands of the avowed enemies of the kingdom, was a dreadful prospect. In order to avoid it, the parliament fell upon a very extraordinary expedient. By an act made on purpose, they excluded "the regent's eldest son from all right of succession, public or private, so long as he should be detained a prisoner, and substituted in his place his other brothers, according to their seniority, and in failure of them, those who were next heirs to the regent[r]." Succession by hereditary right is an idea so obvious and so popular, that a nation seldom ventures to make a breach in it, but in cases of extreme necessity. Such a necessity did the parliament discover in the present situation. Hatred to England, founded on the memory of past hostilities, and heightened by the smart of recent injuries, was the national passion. This dictated that uncommon statute, by which the order of lineal succession was so remarkably broken. The modern theories, which represent this right as divine and unalienable, and that ought not to be vio-

[r] Epist. Reg. Scot. ii. 359.

lated upon any consideration whatsoever, seem to have been then altogether unknown.

Scotland invaded by the English.

In the beginning of September, the earl of Hertford, now duke of Somerset, and protector of England, entered Scotland, at the head of eighteen thousand men; and, at the same time, a fleet of sixty ships appeared on the coast to second his land forces. The Scots had, for some time, observed this storm gathering, and were prepared for it. Their army was almost double to that of the enemy, and posted to the greatest advantage on a rising ground, above Musselburgh, not far from the banks of the river Eske. Both these circumstances alarmed the duke of Somerset, who saw his danger, and would willingly have extricated himself out of it, by a new overture of peace, on conditions extremely reasonable. But this moderation being imputed to fear, his proposals were rejected with the scorn which the confidence of success inspires; and if the conduct of the regent, who commanded the Scottish army, had been, in any degree, equal to his confidence, the destruction of the English must have been inevitable. They were in a situation precisely similar to that of their countrymen under Oliver Cromwell, in the following century. The Scots had chosen their ground so well, that it was impossible to force them to give battle; a few days had exhausted the forage and provision of a narrow country; the fleet could only furnish a scanty and precarious subsistence: a retreat, therefore, was necessary; but disgrace, and, perhaps, ruin, were the consequences of retreating.

On both these occasions, the national heat and impetuosity of the Scots saved the English, and precipitated their own country into the utmost danger. The undisciplined courage of the private men became impatient at the sight of an enemy. The general was afraid of nothing, but that the English might escape from him by flight; and, leaving his strong camp, he attacked the duke of Somerset near Pinkey, with no better suc-

Battle of Pinkey, September 10, 1547.

cess than his rashness deserved. The protector had drawn up his troops on a gentle eminence, and had now the advantage of ground on his side. The Scottish army consisted almost entirely of infantry, whose chief weapon was a long spear, and, for that reason, their files were very deep, and their ranks close. They advanced towards the enemy in three great bodies, and, as they passed the river, were considerably exposed to the fire of the English fleet, which lay in the bay of Musselburgh, and had drawn near the shore. The English cavalry, flushed with an advantage which they had gained in a skirmish, some days before, began the attack with more impetuosity than good conduct. A body so firm and compact as the Scots easily resisted the impression of cavalry, broke them, and drove them off the field. The English infantry, however, advanced; and the Scots were, at once, exposed to a flight of arrows, to a fire in flank from four hundred foreign fusileers, who served the enemy, and to their cannon, which were planted behind the infantry, on the highest part of the eminence. The depth and closeness of their order making it impossible for the Scots to stand long in this situation, the earl of Angus, who commanded the vanguard, endeavoured to change his ground, and to retire towards the main body. But his friends, unhappily, mistook his motion for a flight, and fell into confusion. At that very instant the broken cavalry, having rallied, returned to the charge; the foot pursued the advantage they had gained; the prospect of victory redoubled the ardour of both; and, in a moment, the rout of the Scottish army became universal and irretrievable. The encounter in the field was not long nor bloody; but, in the pursuit, the English discovered all the rage and fierceness which national antipathy, kindled by long emulation, and inflamed by reciprocal injuries, is apt to inspire. The pursuit was continued for five hours, and to a great distance. All the three roads, by which the Scots fled, were strewed with spears, and swords, and

targets, and covered with the bodies of the slain. Above ten thousand men fell on this day, one of the most fatal Scotland had ever seen. A few were taken prisoners, and among these some persons of distinction. The protector had it now in his power to become master of a kingdom, out of which, not many hours before, he was almost obliged to retire with infamy[s].

Their victory of little benefit to the English.

But this victory, however great, was of no real utility, for want of skill or of leisure to improve it. Every new injury rendered the Scots more averse from an union with England; and the protector neglected the only measure which would have made it necessary for them to have given their consent to it. He amused himself

[s] The following passage in a curious and rare journal of the protector's expedition into Scotland, written by W. Patten, who was joined in commission with Cecil, as judge martial of the army, and printed in 1548, deserves our notice; as it gives a just idea of the military discipline of the Scots, at that time. "But what after I learned, specially touching their order, their armour, and their manner as well of going to offend, as of standing to defend, I have thought necessary here to utter. Hackbutters have they few or none, and appoint their fight most commonly always afoot. They come to the field well furnished all with jack and skull, dagger and buckler, and swords all broad and thin, of exceeding good temper, and universally so made to slice, that as I never saw none so good, so I think it hard to devise the better. Hereto every man his pike, and a great kercher wrapped twice or thrice about his neck, not for cold, but for cutting. In their array towards joining with the enemy, they cling and thrust so near in the fore rank, shoulder and shoulder together, with their pikes in both their hands straight afore them, and their followers in that order so hard at their backs, laying their pikes over their foregoers' shoulders, that, if they do assail undiscovered, no force can well withstand them. Standing at defence they thrust shoulders likewise so nigh together, the fore ranks well nigh to kneeling, stoop low before, their fellows behind holding their pikes with both hands, and therewith in their left their bucklers, the one end of their pike against their right foot, and the other against the enemy breast-high; their followers crossing their pike points with them forward; and thus each with other so nigh as space and place will suffer, through the whole ward, so thick, that as easily shall a bare finger pierce through the skin of an angry hedgehog, as any encounter the front of their pikes." Other curious particulars are found in this journal, from which sir John Hayward has borrowed his account of this expedition. Life of Edward the sixth, 279, etc. The length of the Scotch pike or spear was appointed by Act 44. Parl. 1471, to be six ells; i. e. eighteen feet six inches.

in wasting the open country, and in taking or building several petty castles; whereas, by fortifying a few places which were accessible by sea, he would have laid the kingdom open to the English, and, in a short time, the Scots must either have accepted of his terms, or have submitted to his power. By such an improvement of it, the victory at Dunbar gave Cromwell the command of Scotland. The battle of Pinkey had no other effect but to precipitate the Scots into new engagements with France. The situation of the English court may, indeed, be pleaded in excuse for the duke of Somerset's conduct. That cabal of his enemies, which occasioned his tragical end, was already formed; and, while he triumphed in Scotland, they secretly undermined his power and credit at home. Self-preservation, therefore, obliged him to prefer his safety before his fame, and to return, without reaping the fruits of his victory. At this time, however, the cloud blew over; the conspiracy, by which he fell, was not yet ripe for execution; and his presence suspended its effects for some time. The supreme power still remaining in his hands, he employed it to recover the opportunity which he had lost. A body of troops, by his command, seized and fortified Haddingtoun, a place which, on account of its distance from the sea, and from any English garrison, could not be defended without great expense and danger. April, 1548.

Meanwhile, the French gained more by the defeat of their allies, than the English by their victory. After the death of cardinal Beatoun, Mary of Guise, the queen dowager, took a considerable share in the direction of affairs. She was warmly attached by blood, and by inclination, to the French interest; and, in order to promote it, improved with great dexterity every event which occurred. The spirit and strength of the Scots were broken at Pinkey; and in an assembly of nobles which met at Stirling to consult upon the situation of the kingdom, all eyes were turned towards France, no prospect of safety appearing but in assistance from that

Forces the Scots into a closer union with France.

quarter. But Henry the second being then at peace with England, the queen represented that they could not expect him to take part in their quarrel, but upon views of personal advantage; and that, without extraordinary concessions in his favour, no assistance, in proportion to their present exigencies, could be obtained. The prejudices of the nation powerfully seconded these representations of the queen. What often happens to individuals, took place among the nobles in this convention; they were swayed entirely by their passions; and in order to gratify them, they deserted their former principles, and disregarded their true interest. In the violence of resentment, they forgot that zeal for the independence of Scotland, which had prompted them to reject the proposals of Henry the eighth; and, by offering, voluntarily, their young queen in marriage to the dauphin, eldest son of Henry the second; and, which was still more, by proposing to send her immediately into France to be educated at his court, they granted, from a thirst of vengeance, what formerly they would not yield upon any consideration of their own safety. To gain at once such a kingdom as Scotland, was a matter of no small consequence to France. Henry, without hesitation, accepted the offers of the Scottish ambassadors, and prepared for the vigorous defence of his new acquisition. Six thousand veteran soldiers, under the command of monsieur Dessé, assisted by some of the best officers, who were formed in the long wars of Francis the first, arrived at Leith. They served two campaigns in Scotland, with a spirit equal to their former fame. But their exploits were not considerable. The Scots, soon becoming jealous of their designs, neglected to support them with proper vigour. The caution of the English, in acting wholly upon the defensive, prevented the French from attempting any enterprise of consequence; and obliged them to exhaust their strength in tedious sieges, undertaken under many disadvantages. Their efforts, however, were not with-

and to offer their queen in marriage to the dauphin.

out some benefit to the Scots, by compelling the English to evacuate Haddingtoun, and to surrender several small forts, which they possessed in different parts of the kingdom.

But the effects of these operations of his troops were still of greater importance to the French king. The diversion which they occasioned enabled him to wrest Boulogne out of the hands of the English; and the influence of his army in Scotland obtained the concurrence of parliament with the overtures which had been made to him, by the assembly of nobles at Stirling, concerning the queen's marriage with the dauphin, and her education at the court of France. In vain did a few patriots remonstrate against such extravagant concessions, by which Scotland was reduced to be a province of France; and Henry, from an ally, raised to be master of the kingdom; by which the friendship of France became more fatal than the enmity of England; and every thing was fondly given up to the one, that had been bravely defended against the other. A point of so much consequence was hastily decided in a parliament assembled in the camp before Haddingtoun. The intrigues of the queen dowager, the zeal of the clergy, and resentment against England, had prepared a great party in the nation for such a step; the French general and ambassador, by their liberality and promises, gained over many more. The regent himself was weak enough to stoop to the offer of a pension from France, together with the title of duke of Chatelherault in that kingdom. A considerable majority declared for the treaty, and the interest of a faction was preferred before the honour of the nation.

The treaty for that purpose concluded, June 5, 1548.

Having hurried the Scots into this rash and fatal resolution, the source of many calamities to themselves and to their sovereign, the French allowed them no time for reflection or repentance. The fleet which had brought over their forces was still in Scotland, and, without delay, convoyed the queen into France. Mary

Mary sent to be educated in France.

was then six years old, and by her education in that court, one of the politest but most corrupted in Europe, she acquired every accomplishment that could add to her charms, as a woman, and contracted many of those prejudices which occasioned her misfortunes, as a queen.

From the time that Mary was put into their hands, it was the interest of the French to suffer the war in Scotland to languish. The recovery of the Boulonnois was the object which the French king had most at heart; but a slight diversion in Britain was sufficient to divide the attention and strength of the English, whose domestic factions deprived both their arms and councils of their accustomed vigour. The government of England had undergone a great revolution. The duke of Somerset's power had been acquired with too much violence, and was exercised with too little moderation, to be of long continuance. Many good qualities, added to great love of his country, could not atone for his ambition in usurping the sole direction of affairs. Some of the most eminent courtiers combined against him; and the earl of Warwick, their leader, no less ambitious but more artful than Somerset, conducted his measures with so much dexterity as to raise himself upon the ruins of his rival. Without the invidious name of protector, he succeeded to all the power and influence of which Somerset was deprived, and he quickly found peace to be necessary for the establishment of his new authority, and the execution of the vast designs he had conceived.

Peace concluded,

Henry was no stranger to Warwick's situation, and improved his knowledge of it to good purpose, in conducting the negotiations for a general peace. He prescribed what terms he pleased to the English minister, who scrupled at nothing, however advantageous to that monarch and his allies. England consented to restore Boulogne and its dependencies to France, and gave up all pretensions to a treaty of marriage with the queen of Scots, or to the conquest of her country. A few small forts, of which the English troops had hitherto kept

March 24, 1550.

possession, were razed; and peace between the two kingdoms was established on its ancient foundation.

Both the British nations lost power, as well as reputation, by this unhappy quarrel. It was, on both sides, a war of emulation and resentment, rather than of interest; and was carried on under the influence of national animosities, which were blind to all advantages. The French, who entered into it with greater coolness, conducted it with more skill; and, by dexterously availing themselves of every circumstance which occurred, recovered possession of an important territory which they had lost, and added to their monarchy a new kingdom. The ambition of the English minister betrayed to them the former; the inconsiderate rage of the Scots against their ancient enemies bestowed on them the latter; their own address and good policy merited both.

Immediately after the conclusion of the peace, the French forces left Scotland, as much to their own satisfaction, as to that of the nation. The Scots soon found, that the calling to their assistance a people more powerful than themselves was a dangerous expedient. They beheld, with the utmost impatience, those who had come over to protect the kingdom, taking upon them to command in it; and, on many occasions, they repented the rash invitation which they had given. The peculiar genius of the French nation heightened this disgust, and prepared the Scots to throw off the yoke, before they had well begun to feel it. The French were, in that age, what they are in the present, one of the most polished nations in Europe. But it is to be observed, in all their expeditions into foreign countries, whether towards the south or north, that their manners have been remarkably incompatible with the manners of every other people. Barbarians are tenacious of their own customs, because they want knowledge and taste to discover the reasonableness and propriety of customs which differ from them. Nations, which hold the first rank in politeness, are frequently no less tenacious, out of

The Scots become jealous of the French.

pride. The Greeks were so in the ancient world; and the French are the same in the modern. Full of themselves; flattered by the imitation of their neighbours; and accustomed to consider their own modes as the standards of elegance; they scorn to disguise, or to lay aside, the distinguishing manners of their own nation, or to make any allowance for what may differ from them among others. For this reason, the behaviour of their armies has, on every occasion, been insupportable to strangers, and has always exposed them to hatred, and often to destruction. In that age, they overran Italy four several times by their valour, and lost it as often by their insolence. The Scots, naturally an irascible and high-spirited people, and who, of all nations, can least bear the most distant insinuation of contempt, were not of a temper to admit all the pretensions of such assuming guests. The symptoms of alienation were soon visible; they seconded the military operations of the French troops with the utmost coldness; their disgust grew insensibly to a degree of indignation that could hardly be restrained; and, on occasion of a very slight accident, broke out with fatal violence. A private French soldier engaging in an idle quarrel with a citizen of Edinburgh, both nations took arms, with equal rage, in defence of their countrymen. The provost of Edinburgh, his son, and several citizens of distinction, were killed in the fray; and the French were obliged to avoid the fury of the inhabitants, by retiring out of the city. Notwithstanding the ancient alliance of France and Scotland, and the long intercourse of good offices between the two nations, an aversion for the French took its rise, at this time, among the Scots, the effects whereof were deeply felt, and operated powerfully through the subsequent period.

Progress of the reformation.

From the death of cardinal Beatoun, nothing has been said of the state of religion. While the war with England continued, the clergy had no leisure to molest the protestants; and they were not yet considerable

enough to expect any thing more than connivance and impunity. The new doctrines were still in their infancy; but, during this short interval of tranquillity, they acquired strength, and advanced, by large and firm steps, towards a full establishment in the kingdom. The first preachers against popery in Scotland, of whom several had appeared during the reign of James the fifth, were more eminent for zeal and piety, than for learning. Their acquaintance with the principles of the reformation was partial, and at second hand; some of them had been educated in England; all of them had borrowed their notions from the books published there; and, in the first dawn of the new light, they did not venture far before their leaders. But, in a short time, the doctrines and writings of the foreign reformers became generally known; the inquisitive genius of the age pressed forward in quest of truth; the discovery of one errour opened the way to others; the downfal of one impostor drew many after it; the whole fabric, which ignorance and superstition had erected in times of darkness, began to totter; and nothing was wanting to complete its ruin, but a daring and active leader to direct the attack. Such was the famous John Knox, who, with better qualifications of learning, and more extensive views, than any of his predecessors in Scotland, possessed a natural intrepidity of mind, which set him above fear. He began his public ministry at St. Andrew's, in the year one thousand five hundred and forty-seven, with that success which always accompanies a bold and popular eloquence. Instead of amusing himself with lopping the branches, he struck directly at the root of popery, and attacked both the doctrine and discipline of the established church, with a vehemence peculiar to himself, but admirably suited to the temper and wishes of the age.

An adversary, so formidable as Knox, would not have easily escaped the rage of the clergy, who observed the tendency and progress of his opinions with the utmost

concern. But, at first, he retired for safety into the castle of St. Andrew's, and, while the conspirators kept possession of it, preached publicly under their protection. The great revolution in England, which followed upon the death of Henry the eighth, contributed no less than the zeal of Knox towards demolishing the popish church in Scotland. Henry had loosened the chains, and lightened the yoke of popery. The ministers of his son, Edward the sixth, cast them off altogether, and established the protestant religion upon almost the same footing whereon it now stands in that kingdom. The influence of this example reached Scotland, and the happy effects of ecclesiastical liberty in one nation, inspired the other with an equal desire of recovering it. The reformers had, hitherto, been obliged to conduct themselves with the utmost caution, and seldom ventured to preach, but in private houses, and at a distance from court; they gained credit, as happens on the first publication of every new religion, chiefly among persons in the lower and middle rank of life. But several noblemen, of the greatest distinction, having, about this time, openly espoused their principles, they were no longer under the necessity of acting with the same reserve; and, with more security and encouragement, they had likewise greater success. The means of acquiring and spreading knowledge became more common, and the spirit of innovation, peculiar to that period, grew every day bolder and more universal.

Happily for the reformation, this spirit was still under some restraint. It had not yet attained firmness and vigour sufficient to overturn a system founded on the deepest policy, and supported by the most formidable power. Under the present circumstances, any attempt towards action must have been fatal to the protestant doctrines; and it is no small proof of the authority, as well as penetration, of the heads of the party, that they were able to restrain the zeal of a fiery and impetuous people, until that critical and mature

juncture, when every step they took was decisive and successful.

Meanwhile, their cause received reinforcement from two different quarters, whence they never could have expected it. The ambition of the house of Guise, and the bigotry of Mary of England, hastened the subversion of the papal throne in Scotland; and, by a singular disposition of providence, the persons who opposed the reformation, in every other part of Europe, with the fiercest zeal, were made instruments for advancing it in that kingdom.

The queen dowager aspires to the office of regent.

Mary of Guise possessed the same bold and aspiring spirit which distinguished her family. But in her it was softened by the female character, and accompanied with great temper and address. Her brothers, in order to attain the high objects at which they aimed, ventured upon such daring measures as suited their great courage. Her designs upon the supreme power were concealed with the utmost care, and advanced by address and refinements more natural to her sex. By a dexterous application of those talents, she had acquired a considerable influence on the councils of a nation, hitherto unacquainted with the government of women; and, without the smallest right to any share in the administration of affairs, had engrossed the chief direction of them into her own hands. But she did not long rest satisfied with the enjoyment of this precarious power, which the fickleness of the regent, or the ambition of those who governed him, might so easily disturb; and she began to set on foot new intrigues, with a design of undermining him, and of opening to herself a way to succeed him in that high dignity. Her brothers entered warmly into this scheme, and supported it, with all their credit, at the court of France. The French king willingly concurred in a measure, by which he hoped to bring Scotland entirely under management, and, in any future broil with England, to turn its whole force against that kingdom.

In order to arrive at the desired elevation, the queen dowager had only one of two ways to choose; either violently to wrest the power out of the hands of the regent, or to obtain it by his consent. Under a minority, and among a warlike and factious people, the former was a very uncertain and dangerous experiment. The latter appeared to be no less impracticable. To persuade a man voluntarily to abdicate the supreme power; to descend to a level with those, above whom he was raised; and to be content with the second place, where he hath held the first, may well pass for a wild and chimerical project. This, however, the queen attempted; and the prudence of the attempt was sufficiently justified by its success.

The regent's inconstancy and irresolution, together with the calamities which had befallen the kingdom, under his administration, raised the prejudices both of the nobles and of the people against him, to a great height; and the queen secretly fomented these with much industry. All who wished for a change met with a gracious reception in her court, and their spirit of disaffection was nourished by such hopes and promises, as in every age impose on the credulity of the factious.

Courts the reformers.

The favourers of the reformation being the most numerous and spreading body of the regent's enemies, she applied to them with a particular attention; and the gentleness of her disposition, and seeming indifference to the religious points in dispute, made all her promises of protection and indulgence pass upon them for sincere. Finding so great a part of the nation willing to fall in with her measures, the queen set out for France, under pretence of visiting her daughter, and took along with her those noblemen who possessed the greatest power and credit among their countrymen. Softened by the pleasures of an elegant court, flattered by the civilities of the French king, and the caresses of the house of Guise, and influenced by the seasonable distribution of a few favours, and the liberal promise of

Oct. 1550.

many more, they were brought to approve of all the queen's pretensions.

While she advanced, by these slow, but sure, steps, the regent either did not foresee the danger which threatened him, or neglected to provide against it. The first discovery of the train which was laid, came from two of his own confidents, Carnegie of Kinnaird, and Panter, bishop of Ross, whom the queen had gained over to her interest, and then employed, as the most proper instruments for obtaining his consent. The overture was made to him, in the name of the French king, enforced by proper threatenings, in order to work upon his natural timidity, and sweetened by every promise that could reconcile him to a proposal so disagreeable. On the one hand, the confirmation of his French title, together with a considerable pension, the parliamentary acknowledgment of his right of succession to the crown, and a public ratification of his conduct, during his regency, were offered him. On the other hand, the displeasure of the French king, the power and popularity of the queen dowager, the disaffection of the nobles, with the danger of an after-reckoning, were represented in the strongest colours.

It was not possible to agree to a proposal so extraordinary and unexpected, without some previous struggle; and, had the archbishop of St. Andrew's been present to fortify the irresolute and passive spirit of the regent, he, in all probability, would have rejected it with disdain. Happily for the queen, the sagacity and ambition of that prelate could, at this time, be no obstruction to her views. He was lying at the point of death, and, in his absence, the influence of the queen's agents on a flexible temper, counterbalanced several of the strongest passions of the human mind, and obtained his consent to a voluntary surrender of the supreme power.

After gaining a point of such difficulty, with so much ease, the queen returned into Scotland, in full expect- Dec. 1551.

ation of taking immediate possession of her new dignity. But, by this time, the archbishop of St. Andrew's had recovered of that distemper, which the ignorance of the Scottish physicians had pronounced to be incurable. This he owed to the assistance of the famous Cardan, one of those irregular adventurers in philosophy, of whom Italy produced so many, about this period. A bold genius led him to some useful discoveries, which merit the esteem of a more discerning age; a wild imagination engaged him in those chimerical sciences, which drew the admiration of his contemporaries. As a pretender to astrology and magic, he was revered and consulted by all Europe; as a proficient in natural philosophy, he was but little known. The archbishop, it is probable, considered him as a powerful magician, when he applied to him for relief; but it was his knowledge as a philosopher, which enabled him to cure his disease [t].

Together with his health, the archbishop recovered the entire government of the regent, and quickly persuaded him to recall that dishonourable promise, which he had been seduced by the artifices of the queen to grant. However great her surprise and indignation were, at this fresh instance of his inconstancy, she was obliged to dissemble, that she might have leisure to renew her intrigues with all parties; with the protestants, whom she favoured and courted more than ever; with the nobles, to whom she rendered herself agreeable by various arts; and with the regent himself, in order to gain whom, she employed every argument. But, whatever impressions her emissaries might have made on the regent, it was no easy matter to overreach or to

[t] Cardan himself was more desirous of being considered as an astrologer than a philosopher; in his book, De Genituris, we find a calculation of the archbishop's nativity, from which he pretends both to have predicted his disease, and to have effected his cure. He received from the archbishop a reward of eighteen hundred crowns, a great sum in that age. De Vita sua, p. 32.

intimidate the archbishop. Under his management, the negotiations were spun out to a great length, and his brother maintained his station with that address and firmness, which its importance so well merited. The universal defection of the nobility, the growing power of the protestants, who all adhered to the queen dowager, the reiterated solicitations of the French king, and, above all, the interposition of the young queen, who was now entering the twelfth year of her age, and claimed a right of nominating whom she pleased to be regent[a], obliged him, at last, to resign that high office, which he had held many years. He obtained, however, the same advantageous terms for himself, which had been formerly stipulated.

Prevails on the regent to resign his office.

It was in the parliament which met on the tenth of April, one thousand five hundred and fifty-four, that the earl of Arran executed this extraordinary resignation; and, at the same time, Mary of Guise was raised to that dignity, which had been so long the object of her wishes. Thus, with their own approbation, a woman and a stranger was advanced to the supreme authority over a fierce and turbulent people, who seldom submitted, without reluctance, to the legal and ancient government of their native monarchs.

She obtains the regency.

While the queen dowager of Scotland contributed so much towards the progress of the reformation, by the protection which she afforded it, from motives of ambition, the English queen, by her indiscreet zeal, filled the kingdom with persons active in promoting the same cause. Mary ascended the throne of England on the death of her brother, Edward, and soon after married Philip the second of Spain. To the persecuting spirit of the Romish superstition, and the fierceness of that age, she added the private resentment of her own and of her mother's sufferings, with which she loaded the reformed religion; and the peevishness and

Reformation continues to make great progress.

July 6, 1553.

[a] Lesley, de Reb. Gest. Scot. ap. Jebb. i. 187.

severity of her natural temper carried the acrimony of all these passions to the utmost extreme. The cruelty of her persecution equalled the deeds of those tyrants who have been the greatest reproach to human nature. The bigotry of her clergy could scarce keep pace with the impetuosity of her zeal. Even the unrelenting Philip was obliged, on some occasions, to mitigate the rigour of her proceedings. Many among the most eminent reformers suffered for the doctrines which they had taught; others fled from the storm. To the greater part of these, Switzerland and Germany opened a secure asylum; and not a few, out of choice or necessity, fled into Scotland. What they had seen and felt in England, did not abate the warmth and zeal of their indignation against popery. Their attacks were bolder and more successful than ever; and their doctrines made a rapid progress among all ranks of men.

A view of the political causes which contributed towards that.

These doctrines, calculated to rectify the opinions, and to reform the manners of mankind, had hitherto produced no other effects; but they soon began to operate with greater violence, and proved the occasion, not only of subverting the established religion, but of shaking the throne and endangering the kingdom. The causes which facilitated the introduction of these new opinions into Scotland, and which disseminated them so fast through the nation, merit, on that account, a particular and careful inquiry. The reformation is one of the greatest events in the history of mankind, and, in whatever point of light we view it, is instructive and interesting.

The revival of learning in the fifteenth and sixteenth centuries roused the world from that lethargy, in which it had been sunk for many ages. The human mind felt its own strength, broke the fetters of authority, by which it had been so long restrained, and, venturing to move in a larger sphere, pushed its inquiries into every subject, with great boldness and surprising success.

No sooner did mankind recover the capacity of exer-

cising their reason, than religion was one of the first objects which drew their attention. Long before Luther published his famous Theses, which shook the papal throne, science and philosophy had laid open, to many of the Italians, the imposture and absurdity of the established superstition. That subtile and refined people, satisfied with enjoying those discoveries in secret, were little disposed to assume the dangerous character of reformers, and concluded the knowledge of truth to be the prerogative of the wise, while vulgar minds must be overawed and governed by popular errours. But, animated with a more noble and disinterested zeal, the German theologian boldly erected the standard of truth, and upheld it with an unconquerable intrepidity, which merits the admiration and gratitude of all succeeding ages.

The occasion of Luther's being first disgusted with the tenets of the Romish church, and how, from a small rupture, the quarrel widened into an irreparable breach, is known to every one who has been the least conversant in history. From the heart of Germany his opinions spread, with astonishing rapidity, all over Europe; and, wherever they came, endangered or overturned the ancient, but ill-founded system. The vigilance and address of the court of Rome, cooperating with the power and bigotry of the Austrian family, suppressed these notions, on their first appearance, in the southern kingdoms of Europe. But the fierce spirit of the north, irritated by multiplied impositions, could neither be mollified by the same arts, nor subdued by the same force; and, encouraged by some princes from piety, and by others out of avarice, it easily bore down the feeble opposition of an illiterate and immoral clergy.

The superstition of popery seems to have grown to the most extravagant height in those countries which are situated towards the different extremities of Europe. The vigour of imagination, and sensibility of frame, peculiar to the inhabitants of southern climates, rendered

them susceptible of the deepest impressions of superstitious terrour and credulity. Ignorance and barbarity were no less favourable to the progress of the same spirit among the northern nations. They knew little, and were disposed to believe every thing. The most glaring absurdities did not shock their gross understandings, and the most improbable fictions were received with implicit assent and admiration.

Accordingly, that form of popery which prevailed in Scotland was of the most bigoted and illiberal kind. Those doctrines which are most apt to shock the human understanding, and those legends which farthest exceed belief, were proposed to the people, without any attempt to palliate or disguise them; nor did they ever call in question the reasonableness of the one, or the truth of the other.

The power and wealth of the church kept pace with the progress of superstition; for it is the nature of that spirit to observe no bounds in its respect and liberality towards those whose character it esteems sacred. The Scottish kings early demonstrated how much they were under its influence, by their vast additions to the immunities and riches of the clergy. The profuse piety of David the first, who acquired on that account the name of saint, transferred almost the whole crown lands, which were, at that time, of great extent, into the hands of ecclesiastics. The example of that virtuous prince was imitated by his successors. The spirit spread among all orders of men, who daily loaded the priesthood with new possessions. The riches of the church all over Europe were exorbitant; but Scotland was one of those countries, wherein they had farthest exceeded the just proportion. The Scottish clergy paid one half of every tax imposed on land; and, as there is no reason to think that, in that age, they would be loaded with any unequal share of the burthen, we may conclude that, by the time of the reformation, little less than one half of the national property had fallen into the hands

of a society, which is always acquiring, and can never lose.

The nature, too, of a considerable part of their property extended the influence of the clergy. Many estates, throughout the kingdom, held of the church; church lands were let in lease at an easy rent, and were possessed by the younger sons and descendants of the best families[x]. The connexion between superior and vassal, between landlord and tenant, created dependencies, and gave rise to an union of great advantage to the church; and, in estimating the influence of the popish ecclesiastics over the nation, these, as well as the real amount of their revenues, must be attended to, and taken into the account.

This extraordinary share in the national property was accompanied with proportionable weight in the supreme council of the kingdom. At a time when the number of the temporal peers was extremely small, and when the lesser barons and representatives of boroughs seldom attended parliaments, the ecclesiastics formed a considerable body there. It appears from the ancient rolls of parliament, and from the manner of choosing the lords of articles, that the proceedings of that high court must have been, in a great measure, under their direction[y].

The reverence due to their sacred character, which was often carried incredibly far, contributed not a little towards the growth of their power. The dignity, the titles, and precedence of the popish clergy, are remarkable, both as causes and effects of that dominion which they had acquired over the rest of mankind. They were regarded by the credulous laity, as beings of a superior species; they were neither subject to the same laws, nor tried by the same judges[z]. Every guard, that

[x] Keith, 521. Note (b).

[y] Spots. Hist. of the Church of Scotland, 449.

[z] How far this claim of the clergy to exemption from lay jurisdiction extended, appears from a remarkable transaction in the parliament held in

religion could supply, was placed around their power, their possessions, and their persons; and endeavours were used, not without success, to represent them all as equally sacred.

The reputation for learning, which, however inconsiderable, was wholly engrossed by the clergy, added to the reverence which they derived from religion. The principles of sound philosophy, and of a just taste, were altogether unknown; in place of these were substituted studies barbarous and uninstructive; but as the ecclesiastics alone were conversant in them, this procured them esteem; and a very slender portion of knowledge drew the admiration of rude ages, which knew little. War was the sole profession of the nobles, and hunting their chief amusement; they divided their time between these: unacquainted with the arts, and unimproved by science, they disdained any employment foreign from military affairs, or which required rather penetration and address, than bodily vigour. Wherever the former were necessary, the clergy were intrusted; because they alone were properly qualified for the trust. Almost all the high offices in civil government devolved, on this account, into their hands. The lord chancellor was the first subject in the kingdom, both in dignity and in power. From the earliest ages of the monarchy, to the death of cardinal Beatoun, fifty-four persons had held that high office; and of these, forty-three had been ecclesiastics [a]. The lords of session were supreme judges in all matters of civil right; and, by its original constitution, the president and one half of the senators in this court were churchmen.

1546. When that court was proceeding to the forfeiture of the murderers of cardinal Beatoun, and were about to include a priest, who was one of the assassins, in the general sentence of condemnation: odious as the crime was to ecclesiastics, a delegate appeared in name of the clerical courts, and 'repledged' or claimed exemption of him from the judgment of parliament, 'as a spiritual man.' This claim was sustained; and his name is not inserted in the act of forfeiture. Epist. Reg. Scot. ii. 350. 361.

[a] Crawf. Offic. of State.

To all this we may add, that the clergy being separated from the rest of mankind by the law of celibacy, and undistracted by those cares, and unincumbered with those burthens, which occupy and oppress other men, the interest of their order became their only object, and they were at full leisure to pursue it.

The nature of their function gave them access to all persons, and at all seasons. They could employ all the motives of fear and of hope, of terrour and of consolation, which operate most powerfully on the human mind. They haunted the weak and the credulous; they besieged the beds of the sick and of the dying; they suffered few to go out of the world, without leaving marks of their liberality to the church, and taught them to compound with the Almighty for their sins, by bestowing riches upon those who called themselves his servants.

When their own industry, or the superstition of mankind, failed of producing this effect, the ecclesiastics had influence enough to call in the aid of law. When a person died 'intestate,' the disposal of his effects was vested in the bishop of the diocese, after paying his funeral charges and debts, and distributing among his kindred the sums to which they were respectively entitled; it being presumed that no christian would have chosen to leave the world, without destining some part of his substance to pious uses[b]. As men are apt to trust to the continuance of life with a fond confidence, and childishly shun every thing that forces them to think of their mortality, many die without settling their affairs by will; and the right of administration, in that event, acquired by the clergy, must have proved a considerable source both of wealth and of power to the church.

At the same time, nò matrimonial or testamentary cause could be tried but in the spiritual courts, and by laws which the clergy themselves had framed. The

[b] Essays on Brit. Antiq. 174. Annals of Scotland, by sir David Dalrymple, vol. i. Append. No. ii.

penalty, too, by which the decisions of these courts were enforced, added to their authority. A sentence of excommunication was no less formidable than a sentence of outlawry. It was pronounced on many occasions, and against various crimes; and, besides excluding those, upon whom it fell, from christian privileges, it deprived them of all their rights, as men, or as citizens; and the aid of the secular power concurred with the superstition of mankind, in rendering the thunders of the church no less destructive than terrible.

To these general causes may be attributed the immense growth both of the wealth and power of the popish church; and, without entering into any more minute detail, this may serve to discover the foundations on which a structure so stupendous was erected.

But though the laity had contributed, by their own superstition and profuseness, to raise the clergy from poverty and obscurity to riches and eminence, they began, by degrees, to feel and to murmur at their encroachments. No wonder haughty and martial barons should view the power and possessions of the church with envy; and regard the lazy and inactive character of churchmen with the utmost contempt; while, at the same time, the indecent and licentious lives of the clergy gave great and just offence to the people, and considerably abated the veneration which they were accustomed to yield to that order of men.

Immense wealth, extreme indolence, gross ignorance, and, above all, the severe injunction of celibacy, had concurred to introduce this corruption of morals among many of the clergy, who, presuming too much upon the submission of the people, were at no pains either to conceal or to disguise their own vices. According to the accounts of the reformers, confirmed by several popish writers, the most open and scandalous dissoluteness of manners prevailed among the Scottish clergy[c].

[c] Winzet. ap. Keith, Append. 202. 205. Lesley de Reb. Gest. Scot. 232.

Cardinal Beatoun, with the same public pomp which is due to a legitimate child, celebrated the marriage of his natural daughter with the earl of Crawfurd's son[d]; and, if we may believe Knox, he publicly continued to the end of his days a criminal correspondence with her mother, who was a woman of rank. The other prelates seem not to have been more regular and exemplary than their primate[e].

Men of such characters ought, in reason, to have been alarmed at the first clamours raised against their own morals, and the doctrines of the church, by the protestant preachers; but the popish ecclesiastics, either out of pride or ignorance, neglected the proper methods for silencing them. Instead of reforming their lives, or disguising their vices, they affected to despise the censures of the people. While the reformers, by their mortifications and austerities, endeavoured to resemble the first propagators of christianity, the popish clergy were compared to all those persons who are most infamous in history, for the enormity and scandal of their crimes.

On the other hand, instead of mitigating the rigour, or colouring over the absurdity, of the established doctrines; instead of attempting to found them upon scripture, or to reconcile them to reason; they left them, without any other support or recommendation, than the authority of the church, and the decrees of councils.

[d] The marriage articles, subscribed with his own hand, in which he calls her 'my daughter,' are still extant. Keith, p. 42.

[e] A remarkable proof of the dissolute manners of the clergy is found in the public records. A greater number of letters of 'legitimation' was granted during the first thirty years after the reformation, than during the whole period that has elapsed since that time. These were obtained by the sons of the popish clergy. The ecclesiastics, who were allowed to retain their benefices, alienated them to their children; who, when they acquired wealth, were desirous that the stain of illegitimacy might no longer remain upon their families. In Keith's catalogue of the Scottish bishops, we find several instances of such alienations of church lands, by the popish incumbents to their natural children.

The fables concerning purgatory, the virtues of pilgrimage, and the merits of the saints, were the topics on which they insisted, in their discourses to the people; and the duty of preaching being left wholly to monks of the lowest and most illiterate orders, their compositions were still more wretched and contemptible, than the subjects on which they insisted. While the reformers were attended by crowded and admiring audiences, the popish preachers were either universally deserted, or listened to with scorn.

The only device, which they employed, in order to recover their declining reputation, or to confirm the wavering faith of the people, was equally imprudent and unsuccessful. As many doctrines of their church had derived their credit, at first, from the authority of false miracles, they now endeavoured to call in these to their aid[f]. But such lying wonders, as were beheld with unsuspicious admiration, or heard with implicit faith, in times of darkness and of ignorance, met with a very different reception in a more enlightened period. The vigilance of the reformers detected these impostures, and exposed not only them, but the cause which needed the aid of such artifices, to ridicule.

As the popish ecclesiastics became more and more the objects of hatred and of contempt, the discourses of the reformers were listened to as so many calls to liberty; and, besides the pious indignation which they excited against those corrupt doctrines which had perverted the nature of true christianity; besides the zeal which they inspired for the knowledge of truth and the purity of religion; they gave rise also, among the Scottish nobles, to other views and passions. They hoped to shake off the yoke of ecclesiastical dominion, which they had long felt to be oppressive, and which they now discovered to be unchristian. They expected to recover possession of the church revenues, which they

[f] Spotswood, 69.

were now taught to consider as alienations made by their ancestors, with a profusion no less undiscerning than unbounded. They flattered themselves, that a check would be given to the pride and luxury of the clergy, who would be obliged, henceforward, to confine themselves within the sphere peculiar to their sacred character. An aversion from the established church, which flowed from so many concurring causes, which was raised by considerations of religion, heightened by motives of policy, and instigated by prospects of private advantage, spread fast through the nation, and excited a spirit, that burst out, at last, with irresistible violence.

Religious considerations alone were sufficient to have roused this spirit. The points in controversy with the church of Rome were of so much importance to the happiness of mankind, and so essential to christianity, that they merited all the zeal with which the reformers contended in order to establish them. But the reformation having been represented, as the effect of some wild and enthusiastic phrensy in the human mind, this attempt to account for the eagerness and zeal, with which our ancestors embraced, and propagated the protestant doctrines, by taking a view of the political motives alone which influenced them, and by showing how naturally these prompted them to act with so much ardour, will not, perhaps, be deemed an unnecessary digression. We now return to the course of the history.

1554. The queen's elevation to the office of regent seems to have transported her, at first, beyond the known prudence and moderation of her character. She began her administration by conferring upon foreigners several offices of trust and of dignity; a step which, both from the inability of strangers to discharge these offices with propriety, and from the envy which their preferment excites among the natives, is never attended with good consequences. Vilmort was made comptroller, and intrusted with the management of the public revenues; Bonot was appointed governor of Orkney;

The queen regent begins her administration with some unpopular measures.

1554. and Rubay honoured with the custody of the great seal, and the title of vicechancellor[g]. It was with the highest indignation, that the Scots beheld offices of the greatest eminence and authority dealt out among strangers[h]. By these promotions they conceived the queen to have offered an insult both to their understandings and to their courage; to the former, by supposing them unfit for those stations, which their ancestors had filled with so much dignity; to the latter, by imagining that they were tame enough not to complain of an affront, which, in no former age, would have been tolerated with impunity.

While their minds were in this disposition, an incident happened which inflamed their aversion from French councils to the highest degree. Ever since the famous contest between the houses of Valois and Plantagenet, the French had been accustomed to embarrass the English, and to divide their strength by the sudden and formidable incursions of their allies, the Scots. But, as these inroads were seldom attended with any real advantage to Scotland, and exposed it to the dangerous resentment of a powerful neighbour, the Scots began to grow less tractable than formerly, and scrupled any longer to serve an ambitious ally, at the price of their own quiet and security. The change, too, which was daily introducing in the art of war, rendered the assistance of the Scottish forces of less importance to the French monarch. For these reasons, Henry having resolved upon a war with Philip the second, and foreseeing that the queen of England would take part in her husband's quarrel, was extremely solicitous to secure in Scotland the assistance of some troops, which would be more at his command than an undisciplined army, led by chieftains who were almost independent.

[g] Lesley, de Reb. Gest. Scot. 189.

[h] The resentment of the nation against the French rose to such an height, that an act of parliament was passed on purpose to restrain or moderate it. Parl. 6. Q. Mary, c. 60.

In prosecution of this design, but under pretence of relieving the nobles from the expense and danger of defending the borders, the queen regent proposed, in parliament, to register the value of lands throughout the kingdom, to impose on them a small tax, and to apply that revenue towards maintaining a body of regular troops in constant pay. A fixed tax upon land, which the growing expense of government hath introduced into almost every part of Europe, was unknown at that time, and seemed altogether inconsistent with the genius of feudal policy. Nothing could be more shocking to a generous and brave nobility, than the intrusting to mercenary hands the defence of those territories which had been acquired, or preserved, by the blood of their ancestors. They received this proposal with the utmost dissatisfaction. About three hundred of the lesser barons repaired in a body to the queen regent, and represented their sense of the intended innovation, with that manly and determined boldness which is natural to a free people in a martial age. Alarmed at a remonstrance, delivered in so firm a tone, and supported by such formidable numbers, the queen prudently abandoned a scheme, which she found to be universally odious. As the queen herself was known perfectly to understand the circumstances and temper of the nation, this measure was imputed wholly to the suggestions of her foreign counsellors; and the Scots were ready to proceed to the most violent extremities against them. 1554. 1555.

Attempts to engage the kingdom in a war with England.

The French, instead of extinguishing, added fuel to the flame. They had now commenced hostilities against Spain; and Philip had prevailed on the queen of England to reinforce his army with a considerable body of her troops. In order to deprive him of this aid, Henry had recourse, as he projected, to the Scots; and attempted to excite them to invade England. But, as Scotland had nothing to dread from a princess of Mary's character, who, far from any ambitious scheme of dis-

1555. turbing her neighbours, was wholly occupied in endeavouring to reclaim her heretical subjects; the nobles, who were assembled by the queen regent at Newbattle, listened to the solicitations of the French monarch with extreme coldness, and prudently declined engaging the kingdom in an enterprise so dangerous and unnecessary. What she could not obtain by persuasion, the queen regent brought about by a stratagem. Notwithstanding the peace which subsisted between the two kingdoms, she commanded her French soldiers to rebuild a small fort near Berwick, which was appointed, by the last treaty, to be razed. The garrison of Berwick sallied out; interrupted the work; and ravaged the adjacent country. This insult roused the fiery spirit of the Scots, and their promptness to revenge the least appearance of national injury dissipated, in a moment, the wise and pacific resolutions which they had so lately formed. War was determined, and orders instantly given for raising a numerous army. But, before their forces could assemble, the ardour of their indignation had time to cool; and the English having discovered no intention to push the war with vigour, the nobles resumed their pacific system, and resolved
1556. to stand altogether upon the defensive. They marched to the banks of the Tweed, they prevented the incursions of the enemy; and having done what they thought sufficient for the safety and honour of their country, the queen could not induce them, either by her entreaties or her artifices, to advance another step.

While the Scots persisted in their inactivity, d'Oysel, the commander of the French troops, who possessed entirely the confidence of the queen regent, endeavoured, with her connivance, to engage the two nations in hostilities. Contrary to the orders of the Scottish general, he marched over the Tweed with his own soldiers, and invested Werk castle, a garrison of the English. The Scots, instead of seconding his attempt, were enraged at his presumption. The queen's partiality

towards France had long been suspected; but it was now visible, that she wantonly sacrificed the peace and safety of Scotland to the interest of that ambitious and assuming ally. Under the feudal governments, it was in camps that subjects were accustomed to address the boldest remonstrances to their sovereigns. While arms were in their hands, they felt their own strength; and, at that time, all their representations of grievances carried the authority of commands. On this occasion, the resentment of the nobles broke out with such violence, that the queen, perceiving all attempts to engage them in action to be vain, abruptly dismissed her army, and retired with the utmost shame and disgust; having discovered the impotence of her own authority, without effecting any thing which could be of advantage to France[i]. 1556.

It is observable, that this first instance of contempt for the regent's authority can, in no degree, be imputed to the influence of the new opinions in religion. As the queen's pretensions to the regency had been principally supported by those who favoured the reformation, and as she still needed them for a counterpoize to the archbishop of St. Andrew's, and the partizans of the house of Hamilton; she continued to treat them with great respect, and admitted them to no inconsiderable share in her favour and confidence. Kirkaldy of Grange, and the other surviving conspirators against cardinal Beatoun, were, about this time, recalled by her from banishment; and, through her connivance, the protestant preachers enjoyed an interval of tranquillity, which was of great advantage to their cause. Soothed by these instances of the queen's moderation and humanity, the protestants left to others the office of remonstrating; and the leaders of the opposite faction set them the first example of disputing the will of their sovereign.

[i] Strype's Memor. iii. Append. 274. Lesley, 196.

1556. As the queen regent felt how limited and precarious her authority was, while it depended on the poize of these contrary factions, she endeavoured to establish it on a broader and more secure foundation, by hastening the conclusion of her daughter's marriage with the dauphin. Amiable as the queen of Scots then was, in the bloom of youth, and considerable as the territories were, which she would have added to the French monarchy; reasons were not wanting to dissuade Henry from completing his first plan of marrying her to his son. The constable Montmorency had employed all his interest to defeat an alliance which reflected so much lustre on the princes of Lorrain. He had represented the impossibility of maintaining order and tranquillity among a turbulent people, during the absence of their sovereign; and, for that reason, had advised Henry to bestow the young queen upon one of the princes of the blood, who, by residing in Scotland, might preserve that kingdom an useful ally to France, which, by a nearer union to the crown, would become a mutinous and ungovernable province[k]. But, at this time, the constable was a prisoner in the hands of the Spaniards; the princes of Lorrain were at the height of their power; and their influence, seconded by the charms of the young queen, triumphed over the prudent, but envious, remonstrances of their rival.

The queen's marriage with the dauphin.

Dec. 14, 1557. The French king, accordingly, applied to the parliament of Scotland, which appointed eight of its members[l] to represent the whole body of the nation, at the marriage of the queen. Among the persons on whom the public choice conferred this honourable character, were some of the most avowed and zealous advocates for the reformation; by which may be estimated the degree of respect and popularity which that party had now attained

[k] Melv. Mem. 15.

[l] Viz. the archbishop of Glasgow, the bishop of Ross, the bishop of Orkney, the earls of Rothes and Cassils, lord Fleming, lord Seton, the prior of St. Andrew's, and John Erskine of Dun.

in the kingdom. The instructions of the parliament to those commissioners still remain[m], and do honour to the wisdom and integrity of that assembly. At the same time that they manifested, with respect to the articles of marriage, a laudable concern for the dignity and interest of their sovereign, they employed every precaution which prudence could dictate, for preserving the liberty and independence of the nation, and for securing the succession of the crown in the house of Hamilton. 1557.

With regard to each of these, the Scots obtained whatever satisfaction their fear or jealousy could demand. The young queen, the dauphin, and the king of France, ratified every article with the most solemn oaths, and confirmed them by deeds in form, under their hands and seals. But on the part of France, all this was one continued scene of studied and elaborate deceit. Previous to these public transactions with the Scottish deputies, Mary had been persuaded to subscribe privately three deeds, equally unjust and invalid; by which, failing the heirs of her own body, she conferred the kingdom of Scotland, with whatever inheritance or succession might accrue to it, in free gift upon the crown of France, declaring all promises to the contrary, which the necessity of her affairs, and the solicitations of her subjects, had extorted, or might extort from her, to be void and of no obligation[n]. As it gives us a proper idea of the character of the French court under Henry the second, we may observe, that the king himself, the keeper of the great seals, the duke of Guise, and the cardinal of Lorrain, were the persons engaged in conducting this perfidious and dishonourable project. The queen of Scots was the only innocent actor in that scene of iniquity. Her youth, her inexperience, her education in a foreign country, and

Artifices of the French in the marriage treaty.

[m] Keith, Append. 13.

[n] Corps Diplomat. tom. v. 21. Keith, 73.

1557. her deference to the will of her uncles, must go far towards vindicating her, in the judgment of every impartial person, from any imputation of blame on that account.

This grant, by which Mary bestowed the inheritance of her kingdom upon strangers, was concealed with the utmost care from her subjects. They seem, however, not to have been unacquainted with the intention of the French to overturn the settlement of the succession in favour of the duke of Chatelherault. The zeal with which the archbishop of St. Andrew's opposed all the measures of the queen regent, evidently proceeded from the fears and suspicions of that prudent prelate on this head[o].

April 14, 1558. The marriage, however, was celebrated with great pomp; and the French, who had hitherto affected to draw a veil over their designs upon Scotland, began now to unfold their intentions without any disguise. In the treaty of marriage, the deputies had agreed that the dauphin should assume the name of king of Scotland. This they considered only as an honorary title; but the French laboured to annex to it some solid privileges and power. They insisted, that the dauphin's title should be publicly recognised; that the 'crown matrimonial' should be conferred upon him; and that all the rights pertaining to the husband of a queen should be vested in his person. By the laws of Scotland, a person who married an heiress, kept possession of her estate during his own life, if he happened to survive her and the children born of the marriage[p]. This was called the 'courtesy of Scotland.' The French aimed at applying this rule, which takes place in private inheritances, to the succession of the kingdom;

[o] About this time the French seem to have had some design of reviving the earl of Lennox's pretensions to the succession, in order to intimidate and alarm the duke of Chatelherault. Haynes, 215. 219. Forbes's Collect. vol. i. 189.

[p] Reg. Maj. lib. ii. 58.

and that seems to be implied in their demand of the crown matrimonial, a phrase peculiar to the Scottish historians, and which they have neglected to explain[q]. As the French had reason to expect difficulties in carrying through this measure, they began with sounding the deputies, who were then at Paris. The English, in the marriage-articles between their queen and Philip of Spain, had set an example to the age of that prudent jealousy and reserve, with which a foreigner should be admitted so near the throne. Full of the same ideas, the Scottish deputies had, in their oath of allegiance to the dauphin, expressed themselves with remarkable caution[r]. Their answer was in the same spirit, respectful, but firm; and discovered a fixed resolution of consenting to nothing that tended to introduce any alteration in the order of succession to the crown. 1558.

Four of the deputies[s] happening to die before they returned into Scotland, this accident was universally imputed to the effects of poison, which was supposed to have been given them by the emissaries of the house of Guise. The historians of all nations discover an amazing credulity with respect to rumours of this kind, which are so well calculated to please the malignity of some men, and to gratify the love of the marvellous

[q] As far as I can judge, the husband of the queen, by the grant of the crown matrimonial, acquired a right to assume the title of king, to have his name stamped upon the current coin, and to sign all public instruments together with the queen. In consequence of this, the subjects took an oath of fidelity to him. Keith, Append. 20. His authority became, in some measure, coordinate with that of the queen; and without his concurrence, manifested by signing his name, no public deed seems to have been considered as valid. By the oath of fidelity of the Scottish commissioners to the dauphin, it is evident that, in their opinion, the rights belonging to the crown matrimonial subsisted only during the continuance of the marriage. Keith, Append. 20. But the conspirators against Rizio bound themselves to procure a grant of the crown matrimonial to Darnley, during all the days of his life. Keith, Append. 120. Good. i. 227.

[r] Keith, Append. 20.

[s] The bishop of Orkney, the earl of Rothes, the earl of Cassils, and lord Fleming.

1558. which is natural to all, that, in every age, they have been swallowed without examination, and believed contrary to reason. No wonder the Scots should easily give credit to a suspicion, which received such strong colours of probability, both from their own resentment, and from the known character of the princes of Lorrain, so little scrupulous about the justice of the ends which they pursued, or of the means which they employed. For the honour of human nature it must, however, be observed, that, as we can discover no motive which could induce any man to perpetrate such a crime, so there appears no evidence to prove that it was committed. But the Scots of that age, influenced by national animosities and prejudices, were incapable of examining the circumstances of the case with calmness, or of judging concerning them with candour. All parties agreed in believing the French to have been guilty of this detestable action; and it is obvious how much this tended to increase the aversion for them, which was growing among all ranks of men.

The regent prevails on the parliament to grant it. Nov. 29.

Notwithstanding the cold reception which their proposal, concerning the crown matrimonial, met with from the Scottish deputies, the French ventured to move it in parliament. The partisans of the house of Hamilton, suspicious of their designs upon the succession, opposed it with great zeal. But a party, which the feeble and unsteady conduct of their leader had brought under much disreputation, was little able to withstand the influence of France, and the address of the queen regent, seconded, on this occasion, by all the numerous adherents of the reformation. Besides, that artful princess dressed out the French demands in a less offensive garb, and threw in so many limitations, as seemed to render them of small consequence. These either deceived the Scots, or removed their scruples; and in compliance to the queen they passed an act, conferring the crown matrimonial on the dauphin; and with the fondest credulity trusted to the frail security

of words and statutes, against the dangerous encroachments of power[t]. 1558.

The concurrence of the protestants with the queen regent, in promoting a measure so acceptable to France, while the popish clergy, under the influence of the archbishop of St. Andrew's, opposed it with so much violence[u], is one of those singular circumstances in the conduct of parties, for which this period is so remarkable. It may be ascribed, in some degree, to the dexterous management of the queen, but chiefly to the moderation of those who favoured the reformation. The protestants were, by this time, almost equal to the catholics, both in power and in number; and, conscious of their own strength, they submitted with impatience to that tyrannical authority with which the ancient laws armed the ecclesiastics against them. They longed to be exempted from this oppressive jurisdiction, and publicly to enjoy the liberty of professing those opinions, and of exercising that worship, which so great a part of the nation deemed to be founded in truth, and to be acceptable to the deity. This indulgence, to which the whole weight of priestly authority was opposed, there were only two ways of obtaining. Either violence must extort it from the reluctant hand of their sovereign, or, by prudent compliances, they might expect it from her favour or her gratitude. The former is an expedient for the redress of grievances, to which no nation has recourse suddenly; and subjects seldom venture upon resistance, which is their last remedy, but in cases of extreme necessity. On this occasion, the reformers

Continues to court the protestants.

[t] The act of parliament is worded with the utmost care, with a view to guard against any breach of the order of succession. But the duke, not relying on this alone, entered a solemn protestation to secure his own right. Keith, 76. It is plain, that he suspected the French of having some intention to set aside his right of succession; and, indeed, if they had no design of that kind, the eagerness, with which they urged their demand, was childish.

[u] Melv. 47.

1558. wisely held the opposite course, and by their zeal in forwarding the queen's designs, they hoped to merit her protection. This disposition the queen encouraged to the utmost, and amused them so artfully with many promises, and some concessions, that, by their assistance, she surmounted in parliament the force of a national and laudable jealousy, which would otherwise have swayed with the greater number.

Another circumstance contributed somewhat to acquire the regent such considerable influence in this parliament. In Scotland, all the bishopries, and those abbeys which conferred a title to a seat in parliament, were in the gift of the crown[x]. From the time of her accession to the regency, the queen had kept in her own hands almost all those which became vacant, except such as were, to the great disgust of the nation, bestowed upon foreigners. Among these, her brother, the cardinal of Lorrain, had obtained the abbeys of Kelso and Melross, two of the most wealthy foundations in the kingdom[y]. By this conduct, she thinned the ecclesiastical bench[z], which was entirely under the influence of the archbishop of St. Andrew's, and which, by its numbers and authority, usually had great weight in the house, so as to render any opposition it could give, at that time, of little consequence.

The earl of Argyll, and James Stewart, prior of St. Andrew's, one the most powerful, and the other the most popular leader of the protestants, were appointed to carry the crown and other ensigns of royalty to the dauphin. But from this they were diverted by the part they were called to act in a more interesting scene, which now begins to open.

Elizabeth succeeds to

Before we turn towards this, it is necessary to observe, that, on the seventeenth of November, one thou-

[x] See book i. [y] Lesley, 202.

[z] It appears from the rolls of this parliament, which Lesley calls a very full one, that only seven bishops and sixteen abbots were present.

sand five hundred and fifty-eight, Mary of England finished her short and inglorious reign. Her sister Elizabeth took possession of the throne without opposition; and the protestant religion was, once more, established by law in England. The accession of a queen, who, under very difficult circumstances, had given strong indications of those eminent qualities, which, in the sequel, rendered her reign so illustrious, attracted the eyes of all Europe. Among the Scots, both parties observed her first motions, with the utmost solicitude, as they easily foresaw, that she would not remain long an indifferent spectator of their transactions. 1558. the crown of England.

Under many discouragements and much oppression, the reformation advanced towards a full establishment in Scotland. All the low country, the most populous, and, at that time, the most warlike part of the kingdom, was deeply tinctured with the protestant opinions; and if the same impressions were not made in the more distant counties, it was owing to no want of the same dispositions among the people, but to the scarcity of preachers, whose most indefatigable zeal could not satisfy the avidity of those who desired their instructions. Among a people bred to arms, and as prompt as the Scots to act with violence; and in an age, when religious passions had taken such strong possession of the human mind, and moved and agitated it with so much violence, the peaceable and regular demeanour of so numerous a party is astonishing. From the death of Mr. Patrick Hamilton, the first who suffered in Scotland for the protestant religion, thirty years had elapsed, and during so long a period no violation of public order or tranquillity had proceeded from that sect[a]; and, though roused and irritated by the most cruel excesses of ecclesiastical tyranny, they did, in no instance, transgress

[a] The murder of cardinal Beatoun was occasioned by private revenge; and, being contrived and executed by sixteen persons only, cannot, with justice, be imputed to the whole protestant party.

1558. those bounds of duty which the law prescribes to subjects. Besides the prudence of their own leaders, and the protection which the queen regent, from political motives, afforded them, the moderation of the archbishop of St. Andrew's encouraged this pacific disposition. That prelate, whose private life contemporary writers tax with great irregularities[b], governed the church, for some years, with a temper and prudence of which there are few examples in that age. But some time before the meeting of the last parliament, the archbishop departed from those humane maxims, by which he had hitherto regulated his conduct; and, whether in spite to the queen, who had entered into so close an union with the protestants, or in compliance with the importunities of his clergy, he let loose all the rage of persecution against the reformed; sentenced to the flames an aged priest, who had been convicted of embracing the protestant opinions; and summoned several others, suspected of the same crime, to appear before a synod of the clergy, which was soon to convene at Edinburgh.

Nothing could equal the horrour of the protestants, at this unexpected and barbarous execution, but the zeal with which they espoused the defence of a cause that now seemed devoted to destruction. They had immediate recourse to the queen regent; and, as her success in the parliament, which was then about to meet, depended on their concurrence, she not only sheltered them from the impending storm, but permitted them the exercise of their religion with more freedom than they had hitherto enjoyed. Unsatisfied with this precarious tenure, by which they held their religious liberty, the protestants laboured to render their possession of it more secure and independent. With this view, they determined to petition the parliament for some legal protection against the exorbitant

[b] Knox; Buchanan; Keith, 206.

and oppressive jurisdiction of the ecclesiastical courts, 1558.
which, by their arbitrary method of proceeding, founded in the canon law, were led to sentences the most shocking to humanity, by maxims the most repugnant to justice. But the queen, who dreaded the effect of a debate on this delicate subject, which could not fail of exciting high and dangerous passions, prevailed on the leaders of the party, by new and more solemn promises of her protection, to desist from any application to parliament, where their numbers and influence would, in all probability, have procured them, if not the entire redress, at least some mitigation, of their grievances.

They applied to another assembly, to a convocation of the popish clergy, but with the same ill success which hath always attended every proposal for reformation, addressed to that order of men. To abandon usurped power, to renounce lucrative errour, are sacrifices, which the virtue of individuals has, on some occasions, offered to truth; but from any society of men no such effort can be expected. The corruptions of a society, recommended by common utility, and justified by universal practice, are viewed by its members without shame or horrour; and reformation never proceeds from themselves, but is always forced upon them by some foreign hand. Suitable to this unfeeling and inflexible spirit was the behaviour of the convocation in the present conjuncture. All the demands of the protestants were rejected with contempt; and the popish clergy, far from endeavouring, by any prudent concessions, to sooth and to reconcile such a numerous body, asserted the doctrines of their church, concerning some of the most exceptionable articles, with an ill-timed rigour, which gave new offence[c].

During the sitting of the convocation, the protestants 1559.
first began to suspect some change in the regent's disposition towards them. Though joined with them for

[c] Keith, 81.

1559. many years by interest, and united, as they conceived, by the strongest ties of affection and of gratitude, she discovered, on this occasion, evident symptoms, not only of coldness, but of a growing disgust and aversion. In order to account for this, our historians do little more than produce the trite observations concerning the influence of prosperity to alter the character and to corrupt the heart. The queen, say they, having reached the utmost point to which her ambition aspired, no longer preserved her accustomed moderation, but, with an insolence usual to the fortunate, looked down upon those by whose assistance she had been enabled to rise so high. But it is neither in the depravity of the human heart, nor in the ingratitude of the queen's disposition, that we must search for the motives of her present conduct. These were derived from another, and a more remote source, which, in order to clear the subsequent transactions, we shall endeavour to open with some care.

Ambitious views of the princes of Lorrain.

The ambition of the princes of Lorrain had been no less successful than daring; but all their schemes were distinguished by being vast and unbounded. Though strangers at the court of France, their eminent qualities had raised them, in a short time, to an height of power, superior to that of all other subjects, and had placed them on a level even with the princes of the blood themselves. The church, the army, the revenue, were under their direction. Nothing but the royal dignity remained unattained, and they were elevated to a near alliance with it, by the marriage of the queen of Scots to the dauphin. In order to gratify their own vanity, and to render their niece more worthy the heir of France, they set on foot her claim to the crown of England, which was founded on pretences not unplausible.

The tragical amours and marriages of Henry the eighth are known to all the world. Moved by the caprices of his love, or of his resentment, that impatient and arbitrary monarch had divorced or beheaded four

of the six queens whom he married. In order to gratify him, both his daughters had been declared illegitimate by act of parliament; and yet, with that fantastic inconsistence which distinguishes his character, he, in his last will, whereby he was empowered to settle the order of succession, called both of them to the throne, upon the death of their brother Edward; and, at the same time, passing by the posterity of his eldest sister Margaret, queen of Scotland, he appointed the line of succession to continue in the descendants of his younger sister, the dutchess of Suffolk. 1559.

In consequence of this destination, the validity whereof was admitted by the English, but never recognised by foreigners, Mary had reigned in England, without the least complaint of neighbouring princes. But the same causes which facilitated her accession to the throne, were obstacles to the elevation of her sister Elizabeth, and rendered her possession of it precarious and insecure. Rome trembled for the catholic faith, under a protestant queen of such eminent abilities. The same superstitious fears alarmed the court of Spain. France beheld with concern a throne, to which the queen of Scots could form so many pretensions, occupied by a rival, whose birth, in the opinion of all good catholics, excluded her from any legal right of succession. The impotent hatred of the Roman pontiff, or the slow councils of Philip the second, would have produced no sudden or formidable effect. The ardent and impetuous ambition of the princes of Lorrain, who, at that time, governed the court of France, was more decisive, and more to be dreaded. Instigated by them, Henry, soon after the death of Mary, persuaded his daughter-in-law, and her husband, to assume the title of king and queen of England. They affected to publish this to all Europe. They used that style and appellation in public papers, some of which still remain[d]. The arms of

They persuade Mary to assume the title of queen of England.

[d] Anders. Diplom. Scot. Nos. 68 and 164.

1559. England were engraved on their coin and plate, and borne by them on all occasions. No preparations, however, were made to support this impolitic and premature claim. Elizabeth was already seated on her throne; she possessed all the intrepidity of spirit, and all the arts of policy, which were necessary for maintaining that station. England was growing into reputation for naval power. The marine of France had been utterly neglected; and Scotland remained the only avenue by which the territories of Elizabeth could be approached.

Resolve to invade England.

It was on that side, therefore, that the princes of Lorrain determined to make their attack[e]; and, by using the name and pretensions of the Scottish queen, they hoped to rouse the English catholics, formidable, at that time, by their zeal and numbers, and exasperated to the utmost against Elizabeth, on account of the change which she had made in the national religion.

In order to this, necessary to check the reformation in Scotland.

It was vain to expect the assistance of the Scottish protestants to dethrone a queen, whom all Europe began to consider the most powerful guardian and defender of the reformed faith. To break the power and reputation of that party in Scotland became, for this reason, a necessary step towards the invasion of England. With this the princes of Lorrain resolved to open their scheme. And as persecution was the only method for suppressing religious opinions known in that age, or dictated by the despotic and sanguinary spirit of the Romish superstition, this, in its utmost violence, they determined to employ. The earl of Argyll, the prior of St. Andrew's, and other leaders of the party, were marked out by them for immediate destruction[f]; and they hoped, by punishing them, to intimidate their followers. Instructions for this purpose were sent from France to the queen regent. That humane and sagacious princess condemned a measure which was equally violent and impolitic. By long residence in Scotland,

[e] Forbes's Collect. i. 253. 269. 279. 404. [f] Ibid. i. 152.

she had become acquainted with the eager and impatient temper of the nation; she well knew the power, the number, and popularity of the protestant leaders; and had been a witness to the intrepid and unconquerable resolution which religious fervour could inspire. What then could be gained, by rousing this dangerous spirit, which hitherto all the arts of policy had scarcely been able to restrain? If it once broke loose, the authority of a regent would be little capable to subdue, or even to moderate, its rage. If, in order to quell it, foreign forces were called in, this would give the alarm to the whole nation, irritated already at the excessive power which the French possessed in the kingdom, and suspicious of all their designs. Amidst the shock which this might occasion, far from hoping to exterminate the protestant doctrine, it would be well if the whole fabric of the established church were not shaken, and, perhaps, overturned from the foundation. These prudent remonstrances made no impression on her brothers; precipitant, but inflexible in all their resolutions, they insisted on the full and rigorous execution of their plan. Mary, passionately devoted to the interest of France, and ready, on all occasions, to sacrifice her own opinions to the inclinations of her brothers, prepared to execute their commands with implicit submission[s]; and, contrary to her own judgment, and to all the rules of sound policy, she became the instrument of exciting civil commotions in Scotland, the fatal termination of which she foresaw and dreaded. 1559.

The regent alters her conduct with regard to the protestants.

From the time of the queen's competition for the regency with the duke of Chatelherault, the popish clergy, under the direction of the archbishop of St. Andrew's, had set themselves in opposition to all her measures. Her first step towards the execution of her new scheme, was to regain their favour. Nor was this reconcilement a matter of difficulty. The popish ecclesiastics, sepa-

[s] Melv. 48. Mém. de Castelnau, ap. Jebb, vol. ii. 446.

1569. rated from the rest of mankind by the law of celibacy, one of the boldest and most successful efforts of human policy; and combined among themselves in the closest and most sacred union, have been accustomed, in every age, to sacrifice all private and particular passions to the dignity and interest of their order. Delighted, on this occasion, with the prospect of triumphing over a faction, the encroachments of which they had long dreaded, and animated with the hopes of reestablishing their declining grandeur on a firmer basis, they, at once, cancelled the memory of past injuries, and engaged to second the queen in all her attempts to check the progress of the reformation. The queen, being secure of their assistance, openly approved of the decrees of the convocation, by which the principles of the reformers were condemned; and, at the same time, she issued a proclamation, enjoining all persons to observe the approaching festival of Easter according to the Romish ritual.

As it was no longer possible to mistake the queen's intentions, the protestants, who saw the danger approach, in order to avert it, employed the earl of Glencairn, and sir Hugh Campbell of Loudon, to expostulate with her, concerning this change towards severity, which their former services had so little merited, and which her reiterated promises gave them no reason to expect. She, without disguise or apology, avowed to them her resolution of extirpating the reformed religion out of the kingdom. And, upon their urging her former engagements with an uncourtly, but honest boldness, she so far forgot her usual moderation, as to utter a sentiment, which, however apt those of royal condition may be to entertain it, prudence should teach them to conceal as much as possible. "The promises of princes," says she, "ought not to be too carefully remembered, nor the performance of them exacted, unless it suits their own conveniency."

The indignation which betrayed the queen into this

rash expression, was nothing in comparison of that with which she was animated, upon hearing that the public exercise of the reformed religion had been introduced into the town of Perth. At once, she threw off the mask, and issued a mandate, summoning all the protestant preachers in the kingdom to a court of justice, which was to be held at Stirling, on the tenth of May. The protestants, who, from their union, began, about this time, to be distinguished by the name of the CONGREGATION, were alarmed, but not intimidated, by this danger; and instantly resolved not to abandon the men to whom they were indebted for the most valuable of all blessings, the knowledge of truth. At that time there prevailed in Scotland, with respect to criminal trials, a custom, introduced at first by the institutions of vassalage and clanship, and tolerated afterwards under a feeble government: persons accused of any crime were accompanied to the place of trial by a retinue of their friends and adherents, assembled for that purpose from every quarter of the kingdom. Authorized by this ancient practice, the reformed convened in great numbers, to attend their pastors to Stirling. The queen dreaded their approach with a train so numerous, though unarmed; and, in order to prevent them from advancing, she empowered John Erskine of Dun, a person of eminent authority with the party, to promise in her name, that she would put a stop to the intended trial, on condition the preachers and their retinue advanced no nearer to Stirling. Erskine, being convinced himself of the queen's sincerity, served her with the utmost zeal; and the protestants, averse from proceeding to any act of violence, listened with pleasure to so pacific a proposition. The preachers, with a few leaders of the party, remained at Perth; the multitude which had gathered from different parts of the kingdom dispersed, and retired to their own habitations. 1559. Summons their preachers to appear before her.

But, notwithstanding this solemn promise, the queen, on the tenth of May, proceeded to call to trial the per- Breaks a promise on

1559. sons who had been summoned, and, upon their non-appearance, the rigour of justice took place, and they were pronounced outlaws. By this ignoble artifice, so incompatible with regal dignity, and so inconsistent with that integrity which should prevail, in all transactions between sovereigns and their subjects, the queen forfeited the esteem and confidence of the whole nation. The protestants, shocked no less at the indecency with which she violated the public faith, than at the danger which threatened themselves, prepared boldly for their own defence. Erskine, enraged at having been made the instrument for deceiving his party, instantly abandoned Stirling, and, repairing to Perth, added to the zeal of his associates, by his representations of the queen's inflexible resolution to suppress their religion[h].

which they had relied.

This occasions an insurrection at Perth.

The popular rhetoric of Knox powerfully seconded his representations; he, having been carried a prisoner into France, together with the other persons taken in the castle of St. Andrew's, soon made his escape out of that country; and, residing sometimes in England, sometimes in Scotland, had at last been driven out of both kingdoms, by the rage of the popish clergy, and was obliged to retire to Geneva. Thence he was called by the leaders of the protestants in Scotland; and, in compliance with their solicitations, he set out for his native country, where he arrived a few days before the trial appointed at Stirling. He hurried instantly to Perth, to share with his brethren in the common danger, or to assist them in promoting the common cause. While their minds were in that ferment, which the queen's perfidiousness and their own danger occasioned, he mounted the pulpit, and, by a vehement harangue against idolatry, inflamed the multitude with the utmost rage. The indiscretion of a priest, who, immediately after Knox's sermon, was preparing to celebrate mass, and began to decorate the altar for that purpose, precipitated them

[h] Keith, p. 84.

into immediate action. With tumultuary, but irresistible, violence, they fell upon the churches in that city, overturned the altars, defaced the pictures, broke in pieces the images; and proceeding next to the monasteries, they, in a few hours, laid those sumptuous fabrics almost level with the ground. This riotous insurrection was not the effect of any concert, or previous deliberation; censured by the reformed preachers, and publicly condemned by persons of most power and credit with the party, it must be regarded merely as an accidental eruption of popular rage[1]. 1559.

The regent marches against them.

But to the queen dowager these proceedings appeared in a very different light. Besides their manifest contempt for her authority, the protestants had violated every thing in religion which she deemed venerable or holy; and, on both these accounts, she determined to inflict the severest vengeance on the whole party. She had already drawn the troops in French pay to Stirling; with these, and what Scottish forces she could levy of a sudden, she marched directly to Perth, in hopes of surprising the protestant leaders, before they could assemble their followers, whom, out of confidence in her disingenuous promises, they had been rashly induced to dismiss. Intelligence of these preparations and menaces was soon conveyed to Perth. The protestants would gladly have soothed the queen, by addresses both to herself and to the persons of greatest credit in her court; but, finding her inexorable, they, with great vigour, took measures for their own defence. Their adherents, animated with zeal for religion, and eager to expose themselves in so good a cause, flocked in such numbers to Perth, that they not only secured the town from danger, but, within a few days, were in a condition to take the field, and to face the queen, who advanced with an army seven thousand strong.

Neither party, however, was impatient to engage.

[1] Knox, Hist. 127, 128.

1559. The queen dreaded the event of a battle with men whom the fervour of religion raised above the sense of fear or of danger. The protestants beheld with regret the earl of Argyll, the prior of St. Andrew's, and some other eminent persons of their party, still adhering to the queen; and, destitute of their aid and counsel, declined hazarding an action, the ill success of which might have proved the ruin of their cause. The prospect of an accommodation was, for these reasons, highly acceptable to both sides: Argyll and the prior, who were the queen's commissioners for conducting the negotiation, seem to have been sincerely desirous of reconciling the contending factions; and the earl of Glencairn arriving unexpectedly with a powerful reinforcement to the congregation, augmented the queen's eagerness for peace. A treaty was accordingly concluded, in which it was stipulated that both armies should be disbanded, and the gates of Perth set open to the queen; that indemnity should be granted to the inhabitants of that city, and to all others concerned in the late insurrection; that no French garrison should be left in Perth, and no French soldier should approach within three miles of that place; and that a parliament should immediately be held, in order to compose whatever differences might still remain[k].

A treaty concluded.

May 29. The leaders of the congregation, distrustful of the queen's sincerity, and sensible that concessions, flowing not from inclination, but extorted by the necessity of her affairs, could not long remain in force, entered into a new association, by which they bound themselves, on the first infringement of the present treaty, or on the least appearance of danger to their religion, to reassemble their followers, and to take arms in defence of what they deemed the cause of God and of their country[l].

Broken by the regent. The queen, by her conduct, demonstrated these pre-

[k] Keith, 89. [l] Knox, 138.

cautions to be the result of no groundless or unnecessary fear. No sooner were the protestant forces dismissed, than she broke every article in the treaty. She introduced French troops into Perth, fined some of the inhabitants, banished others, removed the magistrates out of office; and, on her retiring to Stirling, she left behind her a garrison of six hundred men, with orders to allow the exercise of no other religion than the Roman catholic. The situation of Perth, a place, at that time, of some strength, and a town among the most proper of any in the kingdom for the station of a garrison, seems to have allured the queen to this unjustifiable and ill-judged breach of public faith; which she endeavoured to colour, by alleging that the body of men left at Perth was entirely composed of native Scots, though kept in pay by the king of France. 1559.

The queen's scheme began gradually to unfold; it was now apparent, that not only the religion, but the liberties of the kingdom were threatened; and that the French troops were to be employed, as instruments for subduing the Scots, and wreathing the yoke about their necks. Martial as the genius of the Scots then was, the poverty of their country made it impossible to keep their armies long assembled; and even a very small body of regular troops might have proved formidable to the nation, though consisting wholly of soldiers. But what number of French forces were then in Scotland, at what times and under what pretext they returned, after having left the kingdom in one thousand five hundred and fifty, we cannot with any certainty determine. Contemporary historians often select with little judgment the circumstances which they transmit to posterity; and with respect to matters of the greatest curiosity and importance, leave succeeding ages altogether in the dark. We may conjecture, however, from some passages in Buchanan, that the French, and Scots in French pay, amounted at least to three thousand men, under the command of monsieur d'Oysel, a creature of

1559. the house of Guise; and they were soon augmented to a much more formidable number.

The queen, encouraged by having so considerable a body of well-disciplined troops at her command, and instigated by the violent counsels of d'Oysel, had ventured, as we have observed, to violate the treaty of Perth, and, by that rash action, once more threw the nation into the most dangerous convulsions. The earl of Argyll and the prior of St. Andrew's instantly deserted a court, where faith and honour seemed to them to be no longer regarded; and joined the leaders of the congregation, who had retreated to the eastern part of Fife. The barons from the neighbouring counties repaired to them, the preachers roused the people to arms, and, wherever they came, the same violent operations which accident had occasioned at Perth, were now encouraged out of policy. The enraged multitude was let loose, and churches and monasteries, the monuments of ecclesiastic pride and luxury, were sacrificed to their zeal.

The protestants again take arms.

In order to check their career, the queen, without losing a moment, put her troops in motion; but the zeal of the congregation got the start once more of her vigilance and activity. In that warlike age, when all men were accustomed to arms, and, on the least prospect of danger, were ready to run to them, the leaders of the protestants found no difficulty to raise an army. Though they set out from St. Andrew's with a slender train of an hundred horse, crowds flocked to their standards from every corner of the country through which they marched; and before they reached Falkland, a village only ten miles distant, they were able to meet the queen with superior force[m].

The queen, surprised at the approach of so formidable a body, which was drawn up by its leaders in such a manner as added greatly, in appearance, to its num-

[m] Knox, 141.

bers, had again recourse to negotiation. She found, however, that the preservation of the protestant religion, their zeal for which had at first roused the leaders of the congregation to take arms, was not the only object they had now in view. They were animated with the warmest love of civil liberty, which they conceived to be in imminent danger from the attempts of the French forces; and these two passions, mingling, added reciprocally to each other's strength. Together with more enlarged notions in religion, the reformation filled the human mind with more liberal and generous sentiments concerning civil government. The genius of popery is extremely favourable to the power of princes. The implicit submission to all her decrees, which is exacted by the Romish church, prepares and breaks the mind for political servitude; and the doctrines of the reformers, by overturning the established system of superstition, weakened the firmest foundations of civil tyranny. That bold spirit of inquiry, which led men to reject theological errours, accompanied them in other sciences, and discovered every where the same manly zeal for truth. A new study, introduced at the same time, added greater force to the spirit of liberty. Men became more acquainted with the Greek and Roman authors, who described exquisite models of free government, far superior to the inaccurate and oppressive system established by the feudal law; and produced such illustrious examples of public virtue, as wonderfully suited both the circumstances and spirit of that age. Many among the most eminent reformers were themselves considerable masters in ancient learning; and all of them eagerly adopted the maxims and spirit of the ancients, with regard to government[n]. The most ardent love of liberty accom-

1559.

They aim at redressing civil as well as religious grievances.

[n] The excessive admiration of ancient policy was the occasion of Knox's famous book concerning the Government of Women, wherein, conformable to the maxims of the ancient legislators, which modern experience has

1559. panied the protestant religion throughout all its progress; and, wherever it was embraced, it roused an independent spirit, which rendered men attentive to their privileges as subjects, and jealous of the encroachments of their sovereigns. Knox, and the other preachers of the reformation, infused generous sentiments concerning government into the minds of their hearers; and the Scottish barons, naturally free and bold, were prompted to assert their rights with more freedom and boldness than ever. Instead of obeying the queen regent, who had enjoined them to lay down their arms, they demanded not only the redress of their religious grievances, but, as a preliminary toward settling the nation, and securing its liberties, required the immediate expulsion of the French troops out of Scotland. It was not in the queen's power to make so important a concession, without the concurrence of the French monarch; and, as some time was requisite in order to obtain that, she hoped, during this interval, to receive such reinforcements from France, as would insure the accomplishment of that design which she had twice
June 13. attempted with unequal strength. Meanwhile, she agreed to a cessation of arms for eight days, and before the expiration of these, engaged to transport the French troops to the south side of the Forth; and to send commissioners to St. Andrew's, who should labour to bring all differences to an accommodation. As she hoped, by means of the French troops, to overawe the protestants in the southern counties, the former article in the treaty was punctually executed; the latter, having been inserted merely to amuse the congregation, was no longer remembered.

proved to be ill-founded, he pronounces the elevation of women to the supreme authority, to be utterly destructive of good government. His principles, authorities, and examples, were all drawn from ancient writers. The same observation may be made with regard to Buchanan's dialogue, De Jure Regni apud Scotos. It is founded, not on the maxims of feudal, but of ancient republican government.

By these reiterated and wanton instances of perfidy, the queen lost all credit with her adversaries; and no safety appearing in any other course, they again took arms with more inflamed resentment, and with bolder and more extensive views. The removing of the French forces had laid open to them all the country situated between Forth and Tay. The inhabitants of Perth alone remaining subjected to the insolence and exactions of the garrison which the queen had left there, implored the assistance of the congregation for their relief. Thither they marched, and having without effect required the queen to evacuate the town in terms of the former treaty, they prepared to besiege it in form. The queen employed the earl of Huntly and lord Erskine to divert them from this enterprise. But her wonted artifices were now of no avail; repeated so often, they could deceive no longer; and, without listening to her offers, the protestants continued the siege, and soon obliged the garrison to capitulate. 1559. A second treaty violated.

After the loss of Perth, the queen endeavoured to seize Stirling, a place of some strength, and, from its command of the only bridge over the Forth, of great importance. But the leaders of the congregation, having intelligence of her design, prevented the execution of it by an hasty march thither with part of their forces. The inhabitants, heartily attached to the cause, set open to them the gates of their town. Thence they advanced, with the same rapidity, towards Edinburgh, which the queen, on their approach, abandoned with precipitation, and retired to Dunbar. Rapid march and success of the protestants.

The protestant army, wherever it came, kindled or spread the ardour of reformation, and the utmost excesses of violence were committed upon churches and monasteries. The former were spoiled of every decoration, which was then esteemed sacred; the latter were laid in ruins. We are apt, at this distance of time, to condemn the furious zeal of the reformers, and to regret the overthrow of so many stately fabrics, the

1559. monuments of our ancestors' magnificence, and among the noblest ornaments of the kingdom. But amidst the violence of a reformation, carried on in opposition to legal authority, some irregularities were unavoidable; and, perhaps, no one could have been permitted more proper to allure and interest the multitude, or more fatal to the grandeur of the established church. How absurd soever and ill-founded the speculative errours of popery may be, some inquiry and attention are requisite towards discovering them. The abuses and corruptions which had crept into the public worship of that church, lay more open to observation, and, by striking the senses, excited more universal disgust. Under the long reign of heathenism, superstition seems to have exhausted its talent of invention, so that when a superstitious spirit seized christians, they were obliged to imitate the heathens in the pomp and magnificence of their ceremonies, and to borrow from them the ornaments and decorations of their temples. To the pure and simple worship of the primitive christians, there succeeded a species of splendid idolatry, nearly resembling those pagan originals whence it had been copied. The contrariety of such observances to the spirit of christianity, was almost the first thing, in the Romish system, which awakened the indignation of the reformers, who, applying to these the denunciations in the Old Testament against idolatry, imagined that they could not endeavour at suppressing them with too much zeal. No task could be more acceptable to the multitude, than to overturn those seats of superstition; they ran with emulation to perform it, and happy was the man whose hand was most adventurous and successful in executing a work deemed so pious. Nor did their leaders labour to restrain this impetuous spirit of reformation. Irregular and violent as its sallies were, they tended directly to that end which they had in view; for, by demolishing the monasteries throughout the kingdom, and setting at liberty their wretched in-

habitants, they hoped to render it impossible ever to rebuild the one, or to reassemble the other. 1559.

But amidst these irregular proceedings, a circumstance which does honour to the conduct and humanity of the leaders of the congregation deserves notice. They so far restrained the rage of their followers, and were able so to temper their heat and zeal, that few of the Roman catholics were exposed to any personal insult, and not a single man suffered death [o].

At the same time we discover, by the facility with which these great revolutions were effected, how violently the current of national favour ran towards the reformation. No more than three hundred men marched out of Perth, under the earl of Argyll and prior of St. Andrew's [p]; with this inconsiderable force they advanced. But, wherever they came, the people joined them in a body; their army was seldom less numerous than five thousand men; the gates of every town were thrown open to receive them; and, without striking a single blow, they took possession of the capital of the kingdom. [a] June 29.

This rapid and astonishing success seems to have encouraged the reformers to extend their views, and to rise in their demands. Not satisfied with their first claim of toleration for their religion, they now openly aimed at establishing the protestant doctrine on the ruins of popery. For this reason they determined to fix their residence at Edinburgh; and, by their appointment, Knox, and some other preachers, taking possession of the pulpits, which had been abandoned by the affrightened clergy, declaimed against the errours of popery with such fervent zeal as could not fail of gaining many proselytes.

In the mean time, the queen, who had prudently given way to a torrent which she could not resist, observed with pleasure that it now began to subside.

[o] Lesley, ap. Jebb, vol. i. 231. [p] Keith, 94.

1559. The leaders of the congregation had been above two months in arms, and by the expenses of a campaign, protracted so long beyond the usual time of service in that age, had exhausted all the money which a country, where riches did not abound, had been able to supply. The multitude, dazzled with their success, and concluding the work to be already done, retired to their own habitations. A few only of the more zealous or wealthy barons remained with their preachers at Edinburgh. As intelligence is procured in civil wars with little difficulty, whatever was transacted at Edinburgh was soon known at Dunbar. The queen, regulating her own conduct by the situation of her adversaries, artfully amused them with the prospect of an immediate accommodation; while, at the same time, she, by studied delays, spun out the negotiations for that purpose to such a length, that, in the end, the party dwindled to an inconsiderable number; and, as if peace had been already reestablished, became careless of military discipline. The queen, who watched for such an opportunity, advanced unexpectedly, by a sudden march in the night, with all her forces, and appearing before Edinburgh, filled that city with the utmost consternation. The protestants, weakened by the imprudent dispersion of their followers, durst not encounter the French troops in the open field; and were even unable to defend an ill-fortified town against their assaults. Unwilling, however, to abandon the citizens to the queen's mercy, they endeavoured, by facing the enemy's army, to gain time for collecting their own associates. But the queen, in spite of all their resistance, would have easily forced her way into the town, if the seasonable conclusion of a truce had not procured her admission, without the effusion of blood.

A third treaty.

Their dangerous situation easily induced the leaders of the congregation to listen to any overtures of peace; and, as the queen was looking daily for the arrival of a strong reinforcement from France, and expected great

advantages from a cessation of arms, she also agreed to it upon no unequal conditions. Together with a suspension of hostilities, from the twenty-fourth of July to the tenth of January, it was stipulated in this treaty, that, on the one hand, the protestants should open the gates of Edinburgh next morning to the queen regent; remain in dutiful subjection to her government; abstain from all future violation of religious houses; and give no interruption to the established clergy, either in the discharge of their functions, or in the enjoyment of their benefices. On the other hand, the queen agreed to give no molestation to the preachers or professors of the protestant religion; to allow the citizens of Edinburgh, during the cessation of hostilities, to enjoy the exercise of religious worship, according to the form most agreeable to the conscience of each individual; and to permit the free and public profession of the protestant faith in every part of the kingdom[q]. The queen, by these liberal concessions, in behalf of their religion, hoped to sooth the protestants, and expected, from indulging their favourite passion, to render them more compliant with respect to other articles, particularly the expulsion of the French troops out of Scotland. The anxiety which the queen expressed for retaining this body of men, rendered them more and more the objects of national jealousy and aversion. The immediate expulsion of them was, therefore, demanded anew, and with greater warmth; but the queen, taking advantage of the distress of the adverse party, eluded the request, and would consent to nothing more, than that a French garrison should not be introduced into Edinburgh. 1559.

The desperate state of their affairs imposed on the congregation the necessity of agreeing to this article, which, however, was very far from giving them satisfaction. Whatever apprehensions the Scots had conceived,

[q] Keith, 98. Maitland, Hist. of Edinb. 16, 17.

1559. from retaining the French forces in the kingdom, were abundantly justified, during the late commotions. A small body of those troops, maintained in constant pay, and rendered formidable by regular discipline, had checked the progress of a martial people, though animated with zeal both for religion and liberty. The smallest addition to their number, and a considerable one was daily expected, might prove fatal to public liberty, and Scotland might be exposed to the danger of being reduced, from an independent kingdom, to the mean condition of a province, annexed to the dominions of its powerful ally.

In order to provide against this imminent calamity, the duke of Chatelherault, and earl of Huntly, immediately after concluding the truce, desired an interview with the chiefs of the congregation. These two noblemen, the most potent, at that time, in Scotland, were the leaders of the party which adhered to the established church. They had followed the queen, during the late commotions; and, having access to observe more narrowly the dangerous tendency of her councils, their abhorrence of the yoke which was preparing for their country surmounted all other considerations, and determined them rather to endanger the religion which they professed, than to give their aid towards the execution of her pernicious designs. They proceeded further, and promised to Argyll, Glencairn, and the prior of St. Andrew's, who were appointed to meet them, that, if the queen should, with her usual insincerity, violate any article in the treaty of truce, or refuse to gratify the wishes of the whole nation, by dismissing her French troops, they would then instantly join with their countrymen in compelling her to a measure, which the public safety, and the preservation of their liberties, rendered necessary[r].

July 8. About this time died Henry the second, of France;

[r] Knox, 154.

just when he had adopted a system, with regard to the affairs of Scotland, which would, in all probability, have restored union and tranquillity to that kingdom[s]. Towards the close of his reign, the princes of Lorrain began visibly to decline in favour, and the constable Montmorency, by the assistance of the dutchess of Valentinois, recovered that ascendant over the spirit of his master, which his great experience, and his faithful, though often unfortunate, services seemed justly to merit. That prudent minister imputed the insurrections in Scotland wholly to the duke of Guise and the cardinal of Lorrain, whose violent and precipitant counsels could not fail of transporting, beyond all bounds of moderation, men whose minds were possessed with that jealousy which is inseparable from the love of civil liberty, or inflamed with that ardour which accompanies religious zeal. Montmorency, in order to convince Henry that he did not load his rivals with any groundless accusation, prevailed to have Melvil[t], a Scottish gentleman of his retinue, despatched into his native country, with instructions to observe the motions both of the regent and of her adversaries; and the king agreed to regulate his future proceedings in that kingdom by Melvil's report. 1559.

Did history indulge herself in these speculations, it would be amusing to inquire what a different direction might have been given, by this resolution, to the national spirit; and to what a different issue Melvil's report, which would have set the conduct of the malecontents in the most favourable light, might have conducted the public disorders. Perhaps, by gentle treatment, and artful policy, the progress of the reformation might have been checked, and Scotland brought to depend upon France. Perhaps, by gaining possession of this avenue, the French might have made their way into England, and, under colour of supporting Mary's title

[s] Melv. 49. [t] The author of the Memoirs.

1559. to the crown, they might not only have defeated all Elizabeth's measures in favour of the reformation, but have reestablished the Roman catholic religion, and destroyed the liberties of that kingdom. But, into this boundless field of fancy and conjecture, the historian must make no excursions; to relate real occurrences, and to explain their real causes and effects, is his peculiar and only province.

Accession of Francis the second to the crown of France.

The tragical and untimely death of the French monarch put an end to all moderate and pacific measures with regard to Scotland. The duke of Guise, and the cardinal, his brother, upon the accession of Francis the second, a prince void of genius, and without experience, assumed the chief direction of French affairs. Allied so nearly to the throne, by the marriage of their niece, the queen of Scots, with the young king, they now wanted but little of regal dignity, and nothing of regal power. This power did not long remain inactive in their hands. The same vast schemes of ambition, which they had planned out under the former reign, were again resumed; and they were enabled, by possessing such ample authority, to pursue them with more vigour and greater probability of success. They beheld, with infinite regret, the progress of the protestant religion in Scotland; and, sensible what an unsurmountable obstacle it would prove to their designs, they bent all their strength to check its growth, before it rose to any greater height. For this purpose they carried on their preparations with all possible expedition, and encouraged the queen, their sister, to expect, in a short time, the arrival of an army so powerful as the zeal of their adversaries, however desperate, would not venture to oppose.

Nor were the lords of the congregation either ignorant of those violent counsels, which prevailed in the court of France since the death of Henry, or careless of providing against the danger which threatened them from that quarter. The success of their cause, as well

as their personal safety, depending entirely on the unanimity and vigour of their own resolutions, they endeavoured to guard against division, and to cement together more closely, by entering into a stricter bond of confederacy and mutual defence. Two persons concurred in this new association, who brought a great accession both of reputation and of power to the party. These were the duke of Chatelherault, and his eldest son, the earl of Arran. This young nobleman, having resided some years in France, where he commanded the Scottish guards, had imbibed the protestant opinions concerning religion. Hurried along by the heat of youth and the zeal of a proselyte, he had uttered sentiments, with respect to the points in controversy, which did not suit the temper of a bigoted court, intent, at that juncture, on the extinction of the protestant religion; in order to accomplish which, the greatest excesses of violence were committed. The church was suffered to wreak its utmost fury upon all who were suspected of heresy. Courts were erected in different parts of France, to take cognizance of this crime; and, by their sentences, several persons of distinction were condemned to the flames. 1559.

But, in order to inspire more universal terrour, the princes of Lorrain resolved to select, for a sacrifice, some person whose fall might convince all ranks of men, that neither splendour of birth, nor eminence in station, could exempt from punishment those who should be guilty of this unpardonable transgression. The earl of Arran was the person destined to be the unhappy victim[u]. As he was allied to one throne, and the presumptive heir to another; as he possessed the first rank in his own country, and enjoyed an honourable station in France; his condemnation could not fail of making the desired impression on the whole kingdom. But the cardinal of Lorrain having let fall some expressions,

[u] Thuan. lib. xxiv. p. 462. Edit. Francof.

1559. which raised Arran's suspicions of the design, he escaped the intended blow by a timely flight. Indignation, zeal, resentment, all prompted him to seek revenge upon these persecutors of himself and of the religion which he professed; and, as he passed through England, on his return to his native country, Elizabeth, by hopes and promises, inflamed those passions, and sent him back into Scotland, animated with the same implacable aversion to France, which possessed a great part of his countrymen. He quickly communicated these sentiments to his father, the duke of Chatelherault, who was already extremely disgusted with the measures carrying on in Scotland; and, as it was the fate of that nobleman to be governed, in every instance, by those about him, he now suffered himself to be drawn from the queen regent; and, having joined the congregation, was considered, from that time, as the head of the party.

Earl of Arran joins the protestants.

But, with respect to him, this distinction was merely nominal. James Stewart, prior of St. Andrew's, was the person who moved and actuated the whole body of the protestants, among whom he possessed that unbounded confidence, which his strenuous adherence to their interest and his great abilities so justly merited. He was the natural son of James the fifth, by a daughter of lord Erskine; and, as that amorous monarch had left several others a burthen upon the crown, they were all destined for the church, where they could be placed in stations of dignity and affluence. In consequence of this resolution, the priory of St. Andrew's had been conferred upon James: but, during so busy a period, he soon became disgusted with the indolence and retirement of a monastic life; and his enterprising genius called him forth, to act a principal part on a more public and conspicuous theatre. The scene in which he appeared required talents of different kinds: military virtue, and political discernment, were equally necessary in order to render him illustrious. These he possessed

in an eminent degree. To the most unquestionable personal bravery, he added great skill in the art of war, and in every enterprise his arms were crowned with success. His sagacity and penetration in civil affairs enabled him, amidst the reeling and turbulence of factions, to hold a prosperous course; while his boldness in defence of the reformation, together with the decency, and even severity, of his manners, secured him the reputation of being sincerely attached to religion, without which it was impossible, in that age, to gain an ascendant over mankind. 1559.

It was not without reason that the queen dreaded the enmity of a man so capable to obstruct her designs. As she could not, with all her address, make the least impression on his fidelity to his associates, she endeavoured to lessen his influence, and to scatter among them the seeds of jealousy and distrust, by insinuating that the ambition of the prior aspired beyond the condition of a subject, and aimed at nothing less than the crown itself.

An accusation so improbable gained but little credit. Whatever thoughts of this kind the presumption of unexpected success, and his elevation to the highest dignity in the kingdom, may be alleged to have inspired at any subsequent period, it is certain that, at this juncture, he could form no such vast design. To dethrone a queen, who was lineal heir to an ancient race of monarchs; who had been guilty of no action by which she could forfeit the esteem and affection of her subjects; who could employ, in defence of her rights, the forces of a kingdom much more powerful than her own; and to substitute in her place, a person whom the illegitimacy of his birth, by the practice of all civilized nations, rendered incapable of any inheritance either public or private, was a project so chimerical as the most extravagant ambition would hardly entertain, and could never conceive to be practicable. The promise too, which the prior made to Melvil, of residing constantly

1559. in France, on condition the public grievances were redressed[x]; the confidence reposed in him by the duke of Chatelherault and his son, the presumptive heirs to the crown; and the concurrence of almost all the Scottish nobles, in promoting the measures by which he gave offence to the French court, go far towards his vindication from those illegal and criminal designs, with the imputation of which the queen endeavoured at that time to load him.

Troops arrive from France, and fortify Leith.

The arrival of a thousand French soldiers compensated, in some degree, for the loss which the queen sustained by the defection of the duke of Chatelherault. These were immediately commanded to fortify Leith, in which place, on account of its commodious harbour, and its situation in the neighbourhood of Edinburgh, and in a plentiful country, the queen resolved to fix the headquarters of her foreign forces. This unpopular measure, by the manner of executing it, was rendered still more unpopular. In order to bring the town entirely under their command, the French turned out a great part of the ancient inhabitants, and, taking possession of the houses, which they had obliged them to abandon, presented to the view of the Scots two objects equally irritating and offensive; on the one hand, a number of their countrymen expelled their habitations by violence, and wandering without any certain abode; on the other, a colony of foreigners settling with their wives and children in the heart of Scotland, growing into strength by daily reinforcements, and openly preparing a yoke, to which, without some timely exertion of national spirit, the whole kingdom must of necessity submit.

The protestants remonstrate against this.

It was with deep concern that the lords of the congregation beheld this bold and decisive step taken by the queen regent; nor did they hesitate a moment, whether they should employ their whole strength, in

[x] Melv. 54.

one generous effort, to rescue their religion and liberty from impending destruction. But, in order to justify their own conduct, and to throw the blame entirely on their adversaries, they resolved to preserve the appearances of decency and respect towards their superiors, and to have no recourse to arms without the most urgent and apparent necessity. They joined, with this view, in an address to the regent, representing, in the strongest terms, their dissatisfaction with the measures she was pursuing, and beseeching her to quiet the fears and jealousies of the nation by desisting from fortifying Leith. The queen, conscious of her present advantageous situation, and elated with the hopes of fresh succours, was in no disposition for listening to demands utterly inconsistent with her views, and urged with that bold importunity which is so little acceptable to princes[y]. 1559. Sept. 29.

The regent disregards their remonstrances.

The suggestions of her French counsellors contributed, without doubt, to alienate her still further from any scheme of accommodation. As the queen was ready, on all occasions, to discover an extraordinary deference for the opinions of her countrymen, her brothers, who knew her secret disapprobation of the violent measures they were driving on, took care to place near her such persons as betrayed her, by their insinuations, into many actions, which her own unbiassed judgment would have highly condemned. As their success in the present juncture, when all things were hastening towards a crisis, depended entirely on the queen's firmness, the princes of Lorrain did not trust wholly to the influence of their ordinary agents; but, in order to add the greater weight to their councils, they called in aid the ministers of religion; and, by the authority of their sacred character, they hoped effectually to recommend to their sister that system of se-

[y] Haynes, 211.

1559. verity which they had espoused[z]. With this view, but under pretence of confounding the protestants by the skill of such able masters in controversy, they appointed several French divines to reside in Scotland. At the head of these, and with the character of legate from the pope, was Pellevé, bishop of Amiens, and afterwards archbishop and cardinal of Sens, a furious bigot[a], servilely devoted to the house of Guise, and a proper instrument for recommending or executing the most outrageous measures.

Amidst the noise and danger of civil arms, these doctors had little opportunity to display their address in the use of their theological weapons. But they gave no small offence to the nation by one of their actions. They persuaded the queen to seize the church of St. Giles in Edinburgh, which had remained, ever since the late truce, in the hands of the protestants; and having, by a new and solemn consecration, purified the fabric from the pollution, with which they supposed the profane ministrations of the protestants to have defiled it, they, in direct contradiction to one article in the late treaty, reestablished there the rites of the Romish church. This, added to the indifference, and even contempt, with which the queen received their remonstrances, convinced the lords of the congregation, that it was not only vain to expect any redress of their grievances at her hands, but absolutely necessary to take arms in their own defence.

They take arms in their own defence.

The eager and impetuous spirit of the nation, as well as every consideration of good policy, prompted them to take this bold step without delay. It was but a small part of the French auxiliaries which had as yet arrived. The fortifications of Leith, though advancing fast, were still far from being complete. Under these circum-

[z] Lesley, 215. Castelnau, ap. Jebb, vol. ii. 446. 473.
[a] Davila; Brantome.

stances of disadvantage, they conceived it possible to surprise the queen's party, and, by one sudden and decisive blow, to prevent all future bloodshed and contention. Full of these expectations, they advanced rapidly towards Edinburgh with a numerous army. But it was no easy matter to deceive an adversary as vigilant and attentive as the queen regent. With her usual sagacity, she both foresaw the danger, and took the only proper course to avoid it. Instead of keeping the field against enemies superior in number, and formidable on a day of battle by the ardour of their courage, she retired into Leith, and determined patiently to wait the arrival of new reinforcements. Slight and unfinished as the fortifications of that town then were, she did not dread the efforts of an army provided neither with heavy cannon, nor with military stores, and little acquainted with the method of attacking any place fortified with more art than those ancient towers erected all over the kingdom in defence of private property against the incursions of banditti. 1559. October 6.

Nor did the queen, meanwhile, neglect to have recourse to those arts which she had often employed to weaken or divide her adversaries. By private solicitations and promises she shook the fidelity, or abated the ardour of some. By open reproach and accusation she blasted the reputation, and diminished the authority of others. Her emissaries were every where at work, and, notwithstanding the zeal for religion and liberty which then animated the nation, they seem to have laboured not without success. We find Knox, about this period, abounding in complaints of the lukewarm and languid spirit which had begun to spread among his party[b]. But if their zeal slackened a little, and suffered a momentary intermission, it soon blazed up with fresh vigour, and rose to a greater height than ever.

The queen herself gave occasion to this, by the reply Renew their remonstrances;

[b] Knox, 180.

1559. which she made to a new remonstrance from the lords of the congregation. Upon their arrival at Edinburgh, they, once more, represented to her the dangers arising from the increase of the French troops, the fortifying of Leith, and her other measures, which they conceived to be destructive to the peace and liberty of the kingdom; and, in this address, they spoke in a firmer tone, and avowed, more openly than ever, their resolution of proceeding to the utmost extremities, in order to put a stop to such dangerous encroachments. To a remonstrance of this nature, and urged with so much boldness, the queen replied in terms no less vi-

but without success. gorous and explicit. She pretended that she was not accountable to the confederate lords for any part of her conduct; and upon no representation of theirs would she either abandon measures which she deemed necessary, or dismiss forces which she found useful, or demolish a fortification which might prove of advantage. At the same time she required them, on pain of treason, to disband the forces which they had assembled.

This haughty and imperious style sounded harshly to Scottish nobles, impatient, from their national character, of the slightest appearance of injury; accustomed, even from their own monarchs, to the most respectful treatment; and possessing, under an aristocratical form of government, such a share of power, as equalled, at all times, and often controlled, that of the sovereign. They were sensible, at once, of the indignity offered to themselves, and alarmed with this plain declaration of the queen's intentions; and as there now remained but one step to take, they wanted neither public spirit nor resolution to take it.

Deliberate concerning the course which they ought to take. But, that they might not seem to depart from the established forms of the constitution, for which, even amidst their most violent operations, men always retain the greatest reverence, they assembled all the peers, barons, and representatives of boroughs, who adhered

to their party. These formed a convention, which exceeded in number, and equalled in dignity, the usual meetings of parliament. The leaders of the congregation laid before them the declaration which the queen had given in answer to their remonstrance; represented the unavoidable ruin which the measures she therein avowed and justified would bring upon the kingdom; and requiring their direction with regard to the obedience due to an administration so unjust and oppressive, they submitted to their decision a question, one of the most delicate and interesting that can possibly fall under the consideration of subjects. 1559. October 21.

This assembly proceeded to decide with no less despatch than unanimity. Strangers to those forms which protract business; unacquainted with the arts which make a figure in debate; and much more fitted for action than discourse, a warlike people always hasten to a conclusion, and bring their deliberations to the shortest issue. It was the work but of one day, to examine and to resolve this nice problem, concerning the behaviour of subjects towards a ruler who abuses his power. But, however abrupt their proceedings may appear, they were not destitute of solemnity. As the determination of the point in doubt was conceived to be no less the office of divines than of laymen, the former were called to assist with their opinion. Knox and Willox appeared for the whole order, and pronounced, without hesitation, both from the precepts and examples in scripture, that it was lawful for subjects not only to resist tyrannical princes, but to deprive them of that authority, which, in their hands, becomes an instrument for destroying those whom the Almighty ordained them to protect. The decision of persons revered so highly for their sacred character, but more for their zeal and their piety, had great weight with the whole assembly. Not satisfied with the common indiscriminate manner of signifying consent, every person present was called in his turn to declare his senti-

1559. ments; and rising up in order, all gave their suffrages, without one dissenting voice, for depriving the queen of the office of regent, which she had exercised so much to the detriment of the kingdom[c].

They deprive the queen of the office of regent.

The motives of their conduct.

This extraordinary sentence was owing no less to the love of liberty, than to zeal for religion. In the act of deprivation, religious grievances are slightly mentioned; and the dangerous encroachments of the queen upon the civil constitution are produced, by the lords of the congregation, in order to prove their conduct to have been not only just but necessary. The introducing foreign troops into a kingdom at peace with all the world; the seizing and fortifying towns in different parts of the country; the promoting strangers to offices of great power and dignity; the debasing the current coin[d]; the subverting the ancient laws; the imposing of new and burthensome taxes; and the attempting to subdue the kingdom, and to oppress its liberties, by open and repeated acts of violence, are enumerated at great length, and placed in the strongest light. On all these accounts, the congregation maintained, that the nobles, as counsellors by birthright to their monarchs, and the guardians and defenders of the constitution, had a right to interpose; and, therefore, by virtue of this right, in the name of the king and queen, and with many expressions of duty and submission towards them, they deprived the queen regent of her office, and or-

[c] Knox, 184.

[d] The standard of money in Scotland was continually varying. In the sixteenth of James the fifth, a. d. 1529, a pound weight of gold, when coined, produced one hundred and eight pounds of current money. But under the queen regent's administration, a. d. 1556, a pound weight of gold, although the quantity of alloy was considerably increased, produced one hundred and forty-four pounds, current money. In 1529, a pound weight of silver, when coined, produced nine pounds two shillings; but in 1556, it produced thirteen pounds, current money. Ruddiman. Præfat. ad Anders. Diplomat. Scotiæ, p. 80, 81. from which it appears, that this complaint, which the malecontents often repeated, was not altogether destitute of foundation.

dained that, for the future, no obedience should be given to her commands[e]. 1559.

Violent as this action may appear, there wanted not principles in the constitution, nor precedents in the history, of Scotland, to justify and to authorize it. Under the aristocratical form of government established among the Scots, the power of the sovereign was extremely limited. The more considerable nobles were themselves petty princes, possessing extensive jurisdictions, almost independent of the crown, and followed by numerous vassals, who, in every contest, espoused their chieftain's quarrel, in opposition to the king. Hence the many instances of the impotence of regal authority, which are to be found in the Scottish history. In every age, the nobles not only claimed, but exercised, the right of controlling the king. Jealous of their privileges, and ever ready to take the field in defence of them, every errour in administration was observed, every encroachment upon the rights of the aristocracy excited indignation, and no prince ever ventured to transgress the boundaries which the law had prescribed to prerogative, without meeting resistance, which shook or overturned his throne. Encouraged by the spirit of the constitution, and countenanced by the example of their ancestors, the lords of the congregation thought it incumbent on them, at this juncture, to inquire into the maleadministration of the queen regent, and to preserve their country from being enslaved or conquered, by depriving her of the power to execute such a pernicious scheme.

The act of deprivation, and a letter from the lords of the congregation to the queen regent, are still extant[f]. They discover not only that masculine and undaunted

[e] M. Castelnau, after condemning the dangerous councils of the princes of Lorrain, with regard to the affairs of Scotland, acknowledges, with his usual candour, that the Scots declared war against the queen regent, rather from a desire of vindicating their civil liberties, than from any motive of religion. Mém. 446.

[f] Knox, 184.

1559. spirit, natural to men capable of so bold a resolution; but are remarkable for a precision and vigour of expression, which we are surprised to meet with in an age so unpolished. The same observation may be made with respect to the other public papers of that period. The ignorance or bad taste of an age may render the compositions of authors by profession obscure, or affected, or absurd: but the language of business is nearly the same at all times; and wherever men think clearly, and are thoroughly interested, they express themselves with perspicuity and force.

THE

# HISTORY OF SCOTLAND.

## THE THIRD BOOK.

THE lords of the congregation soon found, that their zeal had engaged them in an undertaking, which it was beyond their utmost ability to accomplish. The French garrison, despising their numerous but irregular forces, refused to surrender Leith, and to depart out of the kingdom; nor were they sufficiently skilful in the art of war to reduce the place by force, or possessed of the artillery, or magazines, requisite for that purpose; and their followers, though of undaunted courage, yet, being accustomed to decide every quarrel by a battle, were strangers to the fatigues of a long campaign, and soon became impatient of the severe and constant duty which a siege requires. The queen's emissaries, who found it easy to mingle with their countrymen, were at the utmost pains to heighten their disgust, which discovered itself at first in murmurs and complaints, but, on occasion of the want of money for paying the army, broke out into open mutiny. The most eminent leaders were hardly secure from the unbridled insolence of the soldiers; while some of inferior rank, interposing too rashly in order to quell them, fell victims to their rage. Discord, consternation, and perplexity, reigned in the camp of the reformers. The duke, their general, sunk, with his usual timidity, under the terrour of approaching danger, and discovered manifest symptoms of repentance for his rashness in espousing such a desperate cause. 1559.

The congregation involved in difficulties.

In this situation of their affairs, the congregation Apply to Elizabeth

1559. had recourse to Elizabeth, from whose protection they could derive their only reasonable hope of success. Some of their more sagacious leaders, having foreseen that the party might probably be involved in great difficulties, had early endeavoured to secure a resource in any such exigency, by entering into a secret correspondence with the court of England[a]. Elizabeth, aware of the dangerous designs which the princes of Lorrain had formed against her crown, was early sensible of how much importance it would be, not only to check the progress of the French in Scotland, but to extend her own influence in that kingdom[b]; and, perceiving how effectually the present insurrections would contribute to retard or defeat the schemes formed against England, she listened with pleasure to these applications of the malecontents, and gave them private assurances of powerful support to their cause. Randolph[c], an agent extremely proper for conducting any dark intrigue, was despatched into Scotland, and residing secretly among the lords of the congregation, observed and quickened their motions. Money seemed to be the only thing they wanted, at that time; and it was owing to a seasonable remittance from England[d], that the Scottish nobles had been enabled to take the field, and to advance towards Leith. But, as Elizabeth was distrustful of the Scots, and studious to preserve appearances with France, her subsidies were bestowed at first with extreme frugality. The subsistence of an army, and the expenses of a siege, soon exhausted this penurious supply, to which the lords of the congregation could make little addition from their own funds; and the ruin and dispersion of the party must have instantly followed.

for assistance.

She sends them a

In order to prevent this, Cockburn of Ormiston was sent, with the utmost expedition, to the governors of

[a] Burn. Hist. Ref. 3. Append. 278. Keith, Append. 21.
[b] See Append. No. I. [c] Keith, Append. 29.
[d] Knox, 214. Keith, Append. 44.

the town and castle of Berwick. As Berwick was, at that time, the town of greatest importance on the Scottish frontier, sir Ralph Sadler and sir James Crofts, persons of considerable figure, were employed to command there, and were intrusted with a discretionary power of supplying the Scottish malecontents, according to the exigency of their affairs. From them Cockburn received four thousand crowns, but little to the advantage of his associates. The earl of Bothwell, by the queen's instigation, lay in wait for him on his return, dispersed his followers, wounded him, and carried off the money. 1559. small sum of money, which is intercepted.

This unexpected disappointment proved fatal to the party. In mere despair, some of the more zealous attempted to assault Leith; but the French beat them back with disgrace, seized their cannon, and, pursuing them to the gates of Edinburgh, were on the point of entering along with them. All the terrour and confusion, which the prospect of pillage or of massacre can excite in a place taken by storm, filled the city on this occasion. The inhabitants fled from the enemy by the opposite gate; the forces of the congregation were irresolute and dismayed; and the queen's partisans in the town openly insulted both. At last, a few of the nobles ventured to face the enemy, who, after plundering some houses in the suburbs, retired with their booty, and delivered the city from this dreadful alarm.

A second skirmish, which happened a few days after, was no less unfortunate. The French sent out a detachment to intercept a convoy of provisions which was designed for Edinburgh. The lords of the congregation, having intelligence of this, marched, in all haste, with a considerable body of their troops, and, falling upon the enemy between Restalrig and Leith, with more gallantry than good conduct, were almost surrounded by a second party of French, who advanced in order to support their own men. In this situation a

1559. retreat was the only thing which could save the Scots; but a retreat over marshy ground, and in the face of an enemy superior in number, could not long be conducted with order. A body of the enemy hung upon their rear, horse and foot fell into the utmost confusion, and it was entirely owing to the over-caution of the French, that any of the party escaped being cut in pieces.

They retire from Leith in confusion.

On this second blow, the hopes and spirits of the congregation sunk altogether. They did not think themselves secure even within the walls of Edinburgh, but instantly determined to retire to some place, at a greater distance from the enemy. In vain did the prior of St. Andrew's, and a few others, oppose this cowardly and ignominious flight. The dread of the present danger prevailed over both the sense of honour and zeal for the cause. At midnight they set out from Edinburgh in great confusion, and marched, without halting, till they arrived at Stirling[e].

Novemb. 6.

During this last insurrection, the great body of the Scottish nobility joined the congregation. The lords Seton and Borthwick were the only persons of rank who took arms for the queen, and assisted her in defending Leith[f]. Bothwell openly favoured her cause, but resided at his own house. The earl of Huntly, conformable to the crafty policy which distinguishes his character, amused the leaders of the congregation, whom he had engaged to assist, with many fair promises, but never joined them with a single man[g]. The earl of Morton, a member of the congregation, fluctuated in a state of irresolution, and did not act heartily for the common cause. Lord Erskine, governor of Edinburgh castle, though a protestant, maintained a neutrality, which he deemed becoming the dignity of his office; and, having been intrusted by parliament

[e] Keith, Append. 21—45.
[f] Keith, Append. 31.
[g] Keith, Append. 33. Knox, 222.

with the command of the principal fortress in the kingdom, he resolved that neither faction should get it into their hands. 1559.

A few days before the retreat of the congregation, the queen suffered an irreparable loss by the defection of her principal secretary, William Maitland of Lethington. His zeal for the reformed religion, together with his warm remonstrances against the violent measures which the queen was carrying on, exposed him so much to her resentment, and to that of her French counsellors, that he, suspecting his life to be in danger, withdrew secretly from Leith, and fled to the lords of the congregation[h]; and they, with open arms, received a convert, whose abilities added both strength and reputation to their cause. Maitland had early applied to public business admirable natural talents, improved by an acquaintance with the liberal arts; and, at a time of life when his countrymen of the same quality were following the pleasures of the chase, or serving as adventurers in the armies of France, he was admitted into all the secrets of the cabinet, and put upon a level with persons of the most consummate experience in the management of affairs. He possessed, in an eminent degree, that intrepid spirit which delights in pursuing bold designs, and was no less master of that political dexterity which is necessary for carrying them on with success. But these qualities were deeply tinctured with the neighbouring vices. His address sometimes degenerated into cunning; his acuteness bordered upon excess; his invention, over-fertile, suggested to him, on some occasions, chimerical systems of policy, too refined for the genius of his age or country; and his enterprising spirit engaged him in projects vast and splendid, but beyond his utmost power to execute. All the contemporary writers, to whatever faction they belong, mention him with an admiration which nothing could

Maitland revolts from the queen dowager.

[h] Knox, 192.

1559. have excited but the greatest superiority of penetration and abilities.

The precipitate retreat of the congregation increased to such a degree the terrour and confusion, which had seized the party at Edinburgh, that before the army reached Stirling it dwindled to an inconsiderable number. The spirit of Knox, however, still remained undaunted and erect; and, having mounted the pulpit, he addressed to his desponding hearers an exhortation, which wonderfully animated and revived them. The heads of this discourse are inserted in his history[1], and afford a striking example of the boldness and freedom of reproof assumed by the first reformers, as well as a specimen of his own skill in choosing the topics most fitted to influence and rouse his audience.

The lords of the congregation apply again to Elizabeth.

A meeting of the leaders being called, to consider what course they should hold, now that their own resources were all exhausted, and their destruction appeared to be unavoidable without foreign aid, they turned their eyes once more to England, and resolved to implore the assistance of Elizabeth towards finishing an enterprise, in which they had so fatally experienced their own weakness, and the strength of their adversaries. Maitland, as the most able negotiator of the party, was employed in this embassy. In his absence, and during the inactive season of the year, it was agreed to dismiss their followers, worn out by the fatigues of a campaign, which had so far exceeded the usual time of service. But, in order to preserve the counties most devoted to their interest, the prior of St. Andrew's, with part of the leaders, retired into Fife. The duke of Chatelherault, with the rest, fixed his residence at Hamilton. There was little need of Maitland's address or eloquence to induce Elizabeth to take his country under her protection. She observed the prevalence of the French counsels, and the progress of their arms in

[1] Knox, 193.

Scotland, with great concern; and, as she well foresaw the dangerous tendency of their schemes in that kingdom, she had already come to a resolution, with regard to the part she herself would act, if their power there should grow still more formidable. 1559.

Motives which determined her to assist them.

In order to give the queen and her privy council a full and distinct view of any important matter which might come before them, it seems to have been the practice of Elizabeth's ministers to prepare memorials, in which they clearly stated the point under deliberation, laid down the grounds of the conduct which they held to be most reasonable, and proposed a method for carrying their plan into execution. Two papers of this kind, written by sir William Cecil with his own hand, and submitted by the queen to the consideration of her privy council, still remain[k]; they are entitled, 'A short discussion of the weighty matter of Scotland,' and do honour to the industry and penetration of that great minister. The motives which determined the queen to espouse so warmly the defence of the congregation, are represented with perspicuity and force; and the consequences of suffering the French to establish themselves in Scotland, are predicted with great accuracy and discernment.

He lays it down as a principle, agreeable to the laws both of God and of nature, that every society hath a right to defend itself, not only from present dangers, but from such as may probably ensue; to which he adds, that nature and reason teach every prince to defend himself by the same means which his adversaries employ to distress him. Upon these grounds he establishes the right of England to interpose in the affairs of Scotland, and to prevent the conquest of that kingdom, at which the French openly aimed. The French, he observes, are the ancient and implacable enemies of England. Hostilities had subsisted between the two

[k] Burn. vol. iii. Append. 283. Forbes, i. 387, etc. Keith, Append. 24.

1559. nations for many centuries. No treaty of peace, into which they entered, had ever been cordial or sincere. No good effect was, therefore, to be expected from the peace, lately agreed upon, which, being extorted by present necessity, would be negligently observed, and broken on the slightest pretences. In a very short time, France would recover its former opulence; and, though now drained of men and money by a tedious and unsuccessful war, it would quickly be in a condition for acting, and the restless and martial genius of the people would render action necessary. The princes of Lorrain, who, at that time, had the entire direction of French affairs, were animated with the most virulent hatred against the English nation. They openly called in question the legitimacy of the queen's birth, and, by advancing the title and pretensions of their niece, the queen of Scotland, studied to deprive Elizabeth of her crown. With this view, they had laboured to exclude the English from the treaty of Chateau en Cambresis, and endeavoured to conclude a separate peace with Spain. They had persuaded Henry the second to permit his daughter-in-law to assume the title and arms of queen of England; and, even since the conclusion of the peace, they had solicited at Rome, and obtained, a bull, declaring Elizabeth's birth to be illegitimate. Though the wisdom and moderation of the constable Montmorency had, for some time, checked their career, yet, these restraints being now removed by the death of Henry the second and the disgrace of his minister, the utmost excesses of violence were to be dreaded from their furious ambition, armed with sovereign power. Scotland is the quarter whence they can attack England with most advantage. A war on the borders of that country, exposes France to no danger; but one unsuccessful action there may hazard the crown, and overturn the government, of England. In political conduct, it is childish to wait, till the designs of an enemy be ripe for execution. The Scottish nobles, after their utmost

efforts, have been obliged to quit the field; and, far from expelling the invaders of their liberties, they behold the French power daily increasing, and must, at last, cease from struggling any longer in a contest so unequal. The invading of England will immediately follow the reduction of the Scottish malecontents, by the abandoning of whom to the mercy of the French, Elizabeth will open a way for her enemies into the heart of her own kingdom, and expose it to the calamities of war, and the danger of conquest. Nothing, therefore, remained but to meet the enemy, while yet at a distance from England, and, by supporting the congregation with a powerful army, to render Scotland the theatre of the war, to crush the designs of the princes of Lorrain in their infancy, and, by such an early and unexpected effort, to expel the French out of Britain, before their power had time to take root and grow up to any formidable height. But, as the matter was of as much importance as any which could fall under the consideration of an English monarch, wisdom and mature counsel were necessary in the first place, and afterwards vigour and expedition in conduct; the danger was urgent, and, by losing a single moment, might become unavoidable[1]. 1559.

These arguments produced their full effect upon Elizabeth, who was jealous, in an extreme degree, of every pretender to her crown, and no less anxious to preserve the tranquillity and happiness of her subjects. From these motives she had acted, in granting the congregation an early supply of money; and from the same principles she determined, in their present exigency, to afford them more effectual aid. One of Maitland's attendants was instantly despatched into Scotland, with the strongest assurances of her protection, and the lords of the congregation were desired to send commissioners

[1] The arguments which the Scots employed, in order to obtain Elizabeth's assistance, are urged, with great force, in a paper of Maitland's. See Append. No. II.

1559. into England to conclude a treaty, and to settle the operations of the campaign with the duke of Norfolk[m].

The queen dowager meanwhile sends her French troops against them.

Meanwhile, the queen regent, from whom no motion of the congregation could long be concealed, dreaded the success of this negotiation with the court of England, and foresaw, how little she would be able to resist the united efforts of the two kingdoms. For this reason she determined, if possible, to get the start of Elizabeth; and, by venturing, notwithstanding the inclemency of the winter season, to attack the malecontents in their present dispersed and helpless situation, she hoped to put an end to the war before the arrival of their English allies.

A considerable body of her French forces, who were augmented about this time by the arrival of the count de Martigues, with a thousand veteran foot, and some cavalry, were commanded to march to Stirling. Having there crossed the Forth, they proceeded along the coast of Fife, destroying and plundering, with excessive outrage, the houses and lands of those whom they deemed their enemies. Fife was the most populous and powerful county in the kingdom, and most devoted to the congregation, who had hitherto drawn from thence their most considerable supplies, both of men and provisions; and, therefore, besides punishing the disaffection of the inhabitants, by pillaging the country, the French proposed to seize and fortify St. Andrew's, and to leave in it a garrison sufficient to bridle the mutinous spirit of the province, and to keep possession of a port situated on the main ocean[n].

But, on this occasion, the prior of St. Andrew's, lord Ruthven, Kirkaldy of Grange, and a few of the most active leaders of the congregation, performed, by their bravery and good conduct, a service of the utmost importance to their party. Having assembled six hundred horse, they infested the French with continual incur-

[m] Keith, 114. Rymer, xv. p. 569. [n] Haynes, 221, etc.

sions, beat up their quarters, intercepted their convoys of provisions, cut off their straggling parties, and so harassed them with perpetual alarms, that they prevented them, for more than three weeks, from advancing [o]. 1559.

At last the prior, with his feeble party, was constrained to retire, and the French set out from Kirkaldy, and began to move along the coast towards St. Andrew's. They had advanced but a few miles, when, from an eminence, they descried a powerful fleet steering its course up the frith of Forth. As they knew that the marquis d'Elbeuf was, at that time, preparing to sail for Scotland, with a numerous army, they hastily concluded that these ships belonged to him, and gave way to the most immoderate transports of joy, on the prospect of this long-expected succour. Their great guns were already fired to welcome their friends, and to spread the tidings and terrour of their arrival among their enemies, when a small boat from the opposite coast landed, and blasted their premature and short-lived triumph, by informing them, that it was the fleet of England which was in sight, intended for the aid of the congregation, and was soon to be followed by a formidable land army [p]. 1560. Jan. 23.

Throughout her whole reign, Elizabeth was cautious, but decisive; and, by her promptitude in executing her resolutions, joined to the deliberation with which she formed them, her administration became remarkable, no less for its vigour, than for its wisdom. No sooner did she determine to afford her protection to the lords of the congregation, than they experienced the activity, as well as the extent of her power. The season of the year would not permit her land army to take the field; but lest the French should, in the mean time, receive new reinforcements, she instantly ordered a strong squadron to cruise in the frith of Forth. She seems, The English fleet arrives to their assistance.

[o] Knox, 202. [p] Ibid. 203.

1560. by her instructions to Winter, her admiral, to have been desirous of preserving the appearances of friendship towards the French [q]. But these were only appearances; if any French fleet should attempt to land, he was commanded to prevent it by every act of hostility and violence. It was the sight of this squadron, which occasioned, at first, so much joy among the French, but which soon inspired them with such terrour, as saved Fife from the effects of their vengeance. Apprehensive of being cut off from their companions on the opposite shore, they retreated towards Stirling with the utmost precipitation, and in a dreadful season, and through roads almost impassable, arrived at Leith, harassed and exhausted with fatigue [r].

The English fleet cast anchor in the road of Leith, and continuing in that station, till the conclusion of peace, both prevented the garrison of Leith from receiving succours of any kind, and considerably facilitated the operations of their own forces by land.

They conclude a treaty with England, Feb. 27.

Soon after the arrival of the English squadron, the commissioners of the congregation repaired to Berwick, and concluded with the duke of Norfolk a treaty, the bond of that union with Elizabeth, which was of so great advantage to the cause. To give a check to the dangerous and rapid progress of the French arms in Scotland, was the professed design of the contracting parties. In order to this, the Scots engaged never to suffer any closer union of their country with France; and to defend themselves to the uttermost against all attempts of conquest. Elizabeth, on her part, promised to employ in Scotland a powerful army for their assistance, which the Scots undertook to join with all their forces; no place in Scotland was to remain in the hands of the English; whatever should be taken from the enemy was either to be razed, or kept by the Scots, at their choice; if any invasion should be made upon Eng-

[q] Keith, Append. 45. Haynes, 231. [r] Knox, 203.

land, the Scots were obliged to assist Elizabeth with part of their forces; and, to ascertain their faithful observance of the treaty, they bound themselves to deliver hostages to Elizabeth, before the march of her army into Scotland; in conclusion, the Scots made many protestations of obedience and loyalty towards their own queen, in every thing not inconsistent with their religion, and the liberties of their country[s]. 1560.

The English army, consisting of six thousand foot and two thousand horse, under the command of lord Gray of Wilton, entered Scotland early in the spring. The members of the congregation assembled from all parts of the kingdom to meet their new allies; and having joined them, with great multitudes of their followers, they advanced together towards Leith. The French were little able to keep the field against an enemy so much superior in number. A strong body of troops, destined for their relief, had been scattered by a violent storm, and had either perished on the coast of France, or, with difficulty, had recovered the ports of that kingdom[t]. But they hoped to be able to defend Leith, till the princes of Lorrain should make good the magnificent promises of assistance, with which they daily encouraged them; or till scarcity of provisions should constrain the English to retire into their own country. In order to hasten this latter event, they did not neglect the usual, though barbarous, precaution for distressing an invading enemy, by burning and laying waste all the adjacent country[u]. The zeal, however, of the nation frustrated their intentions; eager to contribute towards removing their oppressors, the people produced their hidden stores to support their friends; the neighbouring counties supplied every thing necessary; and, far from wanting subsistence, the English found in their camp all sorts of provisions, at a cheaper

The English army lays siege to Leith, April 2.

[s] Knox, 217. Haynes, 253, etc.
[t] Mém. de Castel. 450.
[u] Knox, 225.

1560. rate than had, for some time, been known in that part of the kingdom[x].

On the approach of the English army, the queen regent retired into the castle of Edinburgh. Her health was now in a declining state, and her mind broken and depressed by the misfortunes of her administration. To avoid the danger and fatigue of a siege, she committed herself to the protection of lord Erskine. This nobleman still preserved his neutrality, and, by his integrity, and love of his country, merited equally the esteem of both parties. He received the queen herself with the utmost honour and respect, but took care to admit no such retinue as might endanger his command of the castle[y].

April 6. A few days after they arrived in Scotland, the English invested Leith. The garrison shut up within the town was almost half as numerous as the army which sat down before it, and, by an obstinate defence, protracted the siege to a great length. The circumstances of this siege, related by contemporary historians, men without knowledge or experience in the art of war, are often obscure and imperfect, and, at this distance of time, are not considerable enough to be entertaining.

April 15. At first the French endeavoured to keep possession of the Hawk Hill, a rising ground not far distant from the town, but were beat from it with great slaughter, chiefly by the furious attack of the Scottish cavalry. Within a few days the French had their full revenge; having sallied out with a strong body, they entered the English trenches, broke their troops, nailed part of their cannon, and killed at least double the number

May 7. they had lost in the former skirmish. Nor were the English more fortunate in an attempt which they made to take the place by assault; they were met with equal courage, and repulsed with considerable loss. From the detail of these circumstances by the writers of that

[x] Knox, 225. [y] Forbes's Collect. vol. i. 503. Keith, 122.

age, it is easy to observe the different characters of the French and English troops. The former, trained to war, under the active reigns of Francis the first and Henry the second, defended themselves not only with the bravery but with the skill of veterans. The latter, who had been more accustomed to peace, still preserved the intrepid and desperate valour peculiar to the nation, but discovered few marks of military genius, or of experience in the practice of war. Every misfortune or disappointment during the siege must be imputed to manifest errours in conduct. The success of the besieged in their sally was owing entirely to the security and negligence of the English; many of their officers were absent; their soldiers had left their stations; and the trenches were almost without a guard [a]. The ladders, which had been provided for the assault, wanted a great deal of the necessary length; and the troops employed in that service were ill supported. The trenches were opened at first in an improper place; and, as it was found expedient to change the ground, both time and labour were lost. The inability of their own generals, no less than the strength of the French garrison, rendered the progress of the English wonderfully slow. The long continuance, however, of the siege, and the loss of part of their magazines by an accidental fire, reduced the French to extreme distress for want of provisions, which the prospect of relief made them bear with admirable fortitude. 1560.

While the hopes and courage of the French protracted the siege so far beyond expectation, the leaders of the congregation were not idle. By new associations and confederacies, they laboured to unite their party more perfectly. By publicly ratifying the treaty concluded at Berwick, they endeavoured to render the alliance with England firm and indissoluble. Among the subscribers of these papers we find the earl of

[a] Haynes, 294. 298. 305, etc.

1560. Huntly, and some others, who had not hitherto concurred with the congregation in any of their measures[a]. Several of these lords, particularly the earl of Huntly, still adhered to the popish church; but, on this occasion, neither their religious sentiments, nor their former cautious maxims, were regarded; the torrent of national resentment and indignation against the French hurried them on[b].

Death and character of the queen dowager. June 10.

The queen regent, the instrument, rather than the cause, of involving Scotland in those calamities, under which it groaned at that time, died during the heat of the siege. No princess ever possessed qualities more capable of rendering her administration illustrious, or the kingdom happy. Of much discernment, and no less address; of great intrepidity, and equal prudence; gentle and humane, without weakness; zealous for her religion, without bigotry; a lover of justice, without rigour. One circumstance, however, and that too the excess of a virtue, rather than any vice, poisoned all these great qualities, and rendered her government unfortunate, and her name odious. Devoted to the interest of France, her native country, and attached to the princes of Lorrain, her brothers, with most passionate fondness, she departed, in order to gratify them, from every maxim which her own wisdom or humanity would have approved. She outlived, in a great measure, that reputation and popularity which had smoothed her way to the highest station in the kingdom; and many

[a] Burn. vol. iii. 287. Knox, 221. Haynes, 261. 263.

[b] The dread of the French power did, on many occasions, surmount the zeal which the catholic nobles had for their religion. Besides the presumptive evidence for this, arising from the memorial mentioned by Burnet, History of the Reformation, vol. iii. 281, and published by him, Appendix, p. 278; the instructions of Elizabeth to Randolph her agent, put it beyond all doubt, that many zealous papists thought the alliance with England to be necessary for preserving the liberty and independence of the kingdom. Keith, 158. Huntly himself began a correspondence with Elizabeth's ministers, before the march of the English army into Scotland. Haynes's State Papers, 261. 263. See Append. No. III.

examples of falsehood, and some of severity, in the latter part of her administration, alienated from her the affections of a people who had once placed in her an unbounded confidence. But, even by her enemies, these unjustifiable actions were imputed to the facility, not to the malignity, of her nature; and, while they taxed her brothers and French counsellors with rashness and cruelty, they still allowed her the praise of prudence and of lenity[c]. A few days before her death, she desired an interview with the prior of St. Andrew's, the earl of Argyll, and other chiefs of the congregation. To them she lamented the fatal issue of those violent counsels which she had been obliged to follow; and, with the candour natural to a generous mind, confessed the errours of her own administration, and begged forgiveness of those to whom they had been hurtful; but, at the same time, she warned them, amidst their struggles for liberty and the shock of arms, not to lose sight of the loyalty and subjection which were due to their sovereign[d]. The remainder of her time she employed in religious meditations and exercises. She even invited the attendance of Willox, one of the most eminent among the reformed preachers, listened to his instructions with reverence and attention[e], and prepared for the approach of death with a decent fortitude. 1560.

Motives of the French to conclude a peace.

Nothing could now save the French troops shut up in Leith, but the immediate conclusion of a peace, or the arrival of a powerful army from the continent. The princes of Lorrain amused their party in Scotland with continual expectations of the latter, and had, thereby, kept alive their hopes and their courage; but, at last, the situation of France, rather than the terrour of the English arms, or the remonstrances of the Scottish malecontents, constrained them, though with reluctance, to turn their thoughts towards pacific councils. The pro-

[c] Buchanan, 324.
[d] Lealey, de Rebus Gest. Scot. 222.
[e] Knox, 228.

1560. testants in France were, at that time, a party formidable by their number, and more by the valour and enterprising genius of their leaders. Francis the second had treated them with extreme rigour, and discovered, by every step he took, a settled resolution to extirpate their religion, and to ruin those who professed it. At the prospect of this danger to themselves and to their cause, the protestants were alarmed, but not terrified. Animated with zeal, and inflamed with resentment, they not only prepared for their own defence, but resolved, by some bold action, to anticipate the schemes of their enemies; and, as the princes of Lorrain were deemed the authors of all the king's violent measures, they marked them out to be the first victims of their indignation. Hence, and not from disloyalty to the king,
March 15. proceeded the famous conspiracy of Amboise; and, though the vigilance and good fortune of the princes of Lorrain discovered and disappointed that design, it was easy to observe new storms gathering in every province of the kingdom, and ready to burst out with all the fury and outrage of civil war. In this situation, the ambition of the house of Lorrain was called off, from the thoughts of foreign conquests, to defend the honour and dignity of the French crown; and, instead of sending new reinforcements into Scotland, it became necessary to withdraw the veteran troops already employed in that kingdom[f].

The negotiations for that purpose.

In order to conduct an affair of so much importance and delicacy, the princes of Lorrain made choice of Monluc, bishop of Valence, and of the sieur de Randan. As both these, especially the former, were reckoned inferior to no persons of that age in address and political refinement, Elizabeth opposed to them ambassadors of equal abilities; Cecil, her prime minister, a man perhaps of the greatest capacity who had ever held that office; and Wotton, dean of Canterbury, grown old in

[f] Lesley, 224.

the art of negotiating under three successive monarchs. 1560.
The interests of the French and English courts were soon adjusted by men of so great dexterity in business; and as France easily consented to withdraw those forces which had been the chief occasion of the war, the other points in dispute between that kingdom and England were not matters of tedious or of difficult discussion.

The grievances of the congregation, and their demands upon their own sovereigns for redress, employed longer time, and required to be treated with a more delicate hand. After so many open attempts, carried on by command of the king and queen, in order to overturn the ancient constitution, and to suppress the religion which they had embraced, the Scottish nobles could not think themselves secure, without fixing some new barrier against the future encroachments of regal power. But the legal steps towards accomplishing this were not so obvious. The French ambassadors considered the entering into any treaty with subjects, and with rebels, as a condescension unsuitable to the dignity of a sovereign; and their scruples on this head might have put an end to the treaty, if the impatience of both parties for peace had not suggested an expedient, which seemed to provide for the security of the subject, without derogating from the honour of the prince. The Articles of the treaty.
Scottish nobles agreed, on this occasion, to pass from the point of right and privilege, and to accept the redress of their grievances, as a matter of favour. Whatever additional security their anxiety for personal safety, or their zeal for public liberty, prompted them to demand, was granted in the name of Francis and Mary, as acts of their royal favour and indulgence. And, lest concessions of this kind should seem precarious, and liable to be retracted by the same power which had made them, the French ambassador agreed to insert them in the treaty with Elizabeth, and, thereby, to bind the king and queen inviolably to observe them[s].

[s] Keith, 134, etc.

1560. In relating this transaction, contemporary historians have confounded the concessions of Francis and Mary to their Scottish subjects, with the treaty between France and England; the latter, besides the ratification of former treaties between the two kingdoms, and stipulations, with regard to the time and manner of removing both armies out of Scotland, contained an article to which, as the source of many important events, we shall often have occasion to refer. The right of Elizabeth to her crown is, thereby, acknowledged in the strongest terms; and Francis and Mary solemnly engage neither to assume the title, nor to bear the arms of king and queen of England in any time to come[h].

July 6. Honourable as this article was for Elizabeth herself, the conditions she obtained for her allies, the Scots, were no less advantageous to them. Monluc and Randan consented, in the name of Francis and Mary, that the French forces in Scotland should instantly be sent back into their own country, and no foreign troops be hereafter introduced into the kingdom, without the knowledge and consent of parliament; that the fortifications of Leith and Dunbar should immediately be razed, and no new fort be erected, without the permission of parliament; that a parliament should be held on the first day of August, and that assembly be deemed as valid, in all respects, as if it had been called by the express commandment of the king and queen; that, conformable to the ancient laws and customs of the country, the king and queen should not declare war or conclude peace, without the concurrence of parliament; that, during the queen's absence, the administration of government should be vested in a council of twelve persons, to be chosen out of twenty-four named by parliament, seven of which council to be elected by the queen, and five by the parliament; that hereafter the king and queen should not advance foreigners to places

[h] Keith, 134. Rymer, xv. p. 581. 591, etc. Haynes, 325—364.

of trust or dignity in the kingdom, nor confer the offices of treasurer or comptroller of the revenues upon any ecclesiastic; that an act of oblivion, abolishing the guilt and memory of all offences, committed since the sixth of March one thousand five hundred and fifty-eight, should be passed in the ensuing parliament, and be ratified by the king and queen; that the king and queen should not, under the colour of punishing any violation of their authority, during that period, seek to deprive any of their subjects of the offices, benefices, or estates, which they now held; that the redress due to churchmen, for the injuries which they had sustained during the late insurrections, should be left entirely to the cognizance of parliament. With regard to religious controversies, the ambassadors declared that they would not presume to decide, but permitted the parliament, at their first meeting, to examine the points in difference, and to represent their sense of them to the king and queen[1]. 1560.

The effects of it.

To such a memorable period did the lords of the congregation, by their courage and perseverance, conduct an enterprise which, at first, promised a very different issue. From beginnings extremely feeble, and even contemptible, the party grew, by degrees, to great power; and, being favoured by many fortunate incidents, baffled all the efforts of their own queen, aided by the forces of a more considerable kingdom. The sovereign authority was, by this treaty, transferred wholly into the hands of the congregation; that limited prerogative, which the crown had hitherto possessed, was almost entirely annihilated; and the aristocratical power, which always predominated in the Scottish government, became supreme and incontrollable. By this treaty, too, the influence of France, which had long been of much weight in the affairs of Scotland, was greatly diminished; and not only were the present en-

[1] Keith, 137, etc.

1560. croachments of that ambitious ally restrained, but, by confederating with England, protection was provided against any future attempt from the same quarter. At the same time, the controversies in religion being left to the consideration of parliament, the protestants might reckon upon obtaining whatever decision was most favourable to the opinions which they professed.

A few days after the conclusion of the treaty, both the French and English armies quitted Scotland.

A parliament held.

The eyes of every man in that kingdom were turned towards the approaching parliament. A meeting, summoned in a manner so extraordinary, at such a critical juncture, and to deliberate upon matters of so much consequence, was expected with the utmost anxiety.

A Scottish parliament suitable to the aristocratical genius of the government, was properly an assembly of the nobles. It was composed of bishops, abbots, barons, and a few commissioners of boroughs, who met all together in one house. The lesser barons, though possessed of a right to be present, either in person or by their representatives, seldom exercised it. The expense of attending, according to the fashion of the times, with a numerous train of vassals and dependants; the inattention of a martial age to the forms and detail of civil government; but, above all, the exorbitant authority of the greater nobles, who had drawn the whole power into their own hands, made this privilege of so little value, as to be almost neglected. It appears from the ancient rolls, that, during times of tranquillity, few commissioners of boroughs, and almost none of the lesser barons, appeared in parliament. The ordinary administration of government was abandoned, without scruple or jealousy, to the king and to the greater barons. But in extraordinary conjunctures, when the struggle for liberty was violent, and the spirit of opposition to the crown rose to a height, the burgesses and lesser barons were roused from their inactivity, and stood forth to vindicate the rights of their country.

The turbulent reign of James the third affords examples, in proof of this observation[k]. The public indignation, against the rash designs of that weak and ill-advised prince, brought into parliament, besides the greater nobles and prelates, a considerable number of the lesser barons. 1560.

The same causes occasioned the unusual confluence of all orders of men to the parliament, which met on the first of August. The universal passion for liberty, civil and religious, which had seized the nation, suffered few persons to remain unconcerned spectators of an assembly, whose acts were likely to prove decisive with respect to both. From all corners of the kingdom men flocked in, eager and determined to aid, with their voices in the senate, the same cause, which they had defended with their swords in the field. Besides a full convention of peers, temporal and spiritual, there appeared the representatives of almost all the boroughs, and above an hundred barons, who, though of the lesser order, were gentlemen of the first rank and fortune in the nation[l].

The parliament was ready to enter on business, with the utmost zeal, when a difficulty was started concerning the lawfulness of the meeting. No commissioner appeared in the name of the king and queen, and no signification of their consent and approbation was yet received. These were deemed by many essential to the very being of a parliament. But, in opposition to this sentiment, the express words of the treaty of Edinburgh were urged, by which this assembly was declared to be as valid, in all respects, as if it had been called and appointed by the express command of the king and queen. As the adherents of the congregation greatly out-numbered their adversaries, the latter opinion prevailed. Their boldest leaders, and those of most approved zeal, were chosen to be lords of the articles,

[k] Keith, 147. [l] Ibid. 146.

1560. who formed a committee of ancient use, and of great importance in the Scottish parliament[m]. The deliberations of the lords of the articles were carried on with the most unanimous and active zeal. The act of oblivion, the nomination of twenty-four persons, out of whom the council, intrusted with supreme authority, was to be elected; and every other thing, prescribed by the late treaty, or which seemed necessary to render it effectual, passed without dispute or delay. The article of religion employed longer time, and was attended with greater difficulty. It was brought into parliament by a petition from those who had adopted the principles of the reformation. Many doctrines of the popish church were a contradiction to reason, and a disgrace to religion; its discipline had become corrupt and oppressive; and its revenues were both exorbitant and ill-applied. Against all these the protestants remonstrated, with the utmost asperity of style, which indignation at their absurdity, or experience of their pernicious tendency, could inspire; and, encouraged by the number, as well as zeal of their friends, to improve such a favourable juncture, they aimed the blow at the whole fabric of popery; and besought the parliament to interpose its authority for rectifying these multiplied abuses[n].

Its proceedings with regard to religion;

Several prelates, zealously attached to the ancient superstition, were present in this parliament. But, during these vigorous proceedings of the protestants, they stood confounded and at gaze; and persevered in a silence which was fatal to their cause. They deemed it impossible to resist or divert that torrent of religious zeal, which was still in its full strength; they dreaded that their opposition would irritate their adversaries, and excite them to new acts of violence; they hoped

[m] From an original letter of Hamilton, archbishop of St. Andrew's, it appears, that the lords of articles were chosen in the manner, afterwards appointed by an act of parliament, 1633. Keith, p. 487. Spotswood seems to consider this to have been the common practice. Hist. 149.

[n] Knox, 237.

that the king and queen would soon be at leisure to put a stop to the career of their insolent subjects, and that, after the rage and havoc of the present storm, the former tranquillity and order would be restored to the church and kingdom. They were willing, perhaps, to sacrifice the doctrine, and even the power of the church, in order to ensure the safety of their own persons, and to preserve the possession of those revenues which were still in their hands. From whatever motives they acted, their silence, which was imputed to the consciousness of a bad cause, afforded matter of great triumph to the protestants, and encouraged them to proceed with more boldness and alacrity [o]. 1560.

The parliament did not think it enough to condemn those doctrines, mentioned in the petition of the protestants; they, moreover, gave the sanction of their approbation to a confession of faith presented to them by the reformed teachers [p]; and composed, as might be expected from such a performance at that juncture, on purpose to expose the absurd tenets and practices of the Romish church. By another act, the jurisdiction of the ecclesiastical courts was abolished, and the causes, which formerly came under their cognizance, were transferred to the decision of civil judges [q]. By a third statute, the exercise of religious worship, according to the rites of the Romish church, was prohibited. The manner in which the parliament enforced the observation of this law discovers the zeal of that assembly; the first transgression subjected the offender to the forfeiture of his goods, and to a corporal punishment, at the discretion of the judge; banishment was the penalty of the second violation of the law; and a third act of disobedience was declared to be capital [r]. Such strangers were men, at that time, to the spirit of toleration, and to the laws of humanity; and with such indecent haste did

[o] Knox, 253.
[p] Id. ibid.
[q] Keith, 152.
[r] Knox, 254.

1560. the very persons, who had just escaped the rigour of ecclesiastical tyranny, proceed to imitate those examples of severity of which they themselves had so justly complained.

with regard to the revenues of the church.

The vigorous zeal of the parliament overturned, in a few days, the ancient system of religion, which had been established so many ages. In reforming the doctrine and discipline of the church, the nobles kept pace with the ardour and expectations even of Knox himself. But their proceedings, with respect to these, were not more rapid and impetuous, than they were slow and dilatory, when they entered on the consideration of ecclesiastical revenues. Among the lay members, some were already enriched with the spoils of the church, and others devoured, in expectation, the wealthy benefices which still remained untouched. The alteration in religion had afforded many of the dignified ecclesiastics themselves an opportunity of gratifying their avarice or ambition. The demolition of the monasteries having set the monks at liberty from their confinement, they instantly dispersed all over the kingdom, and commonly betook themselves to some secular employment. The abbot, if he had been so fortunate as to embrace the principles of the reformation from conviction, or so cunning as to espouse them out of policy, seized the whole revenues of the fraternity; and, except what he allowed for the subsistence of a few superannuated monks[s], applied them entirely to his own use. The proposal, made by the reformed teachers, for applying these revenues towards the maintenance of ministers, the education of youth, and the support of the poor, was equally dreaded by all these orders of men. They opposed it with the utmost warmth, and, by their numbers and authority, easily prevailed on the parliament to give no ear to such a disagreeable demand[t]. Zealous as the first reformers were, and animated with a spirit superior to the low

[s] Keith, 6. Append. 190, 191.

[t] See Append. No. IV.

considerations of interest, they beheld these early symptoms of selfishness and avarice among their adherents with amazement and sorrow; and we find Knox expressing the utmost sensibility of that contempt, with which they were treated by many, from whom he expected a more generous concern for the success of religion and the honour of its ministers [u]. 1560.

A difficulty hath been started with regard to the acts of this parliament concerning religion. This difficulty, which, at such a distance of time, is of no importance, was founded on the words of the treaty of Edinburgh. By that, the parliament were permitted to take into consideration the state of religion, and to signify their sentiments of it to the king and queen. But, instead of presenting their desires to their sovereigns, in the humble form of a supplication or address, the parliament converted them into so many acts; which, although they never received the royal assent, obtained, all over the kingdom, the weight and authority of laws. In compliance with their injunctions, the established system of religion was every where overthrown, and that recommended by the reformers introduced in its place. The partiality and zeal of the people overlooked or supplied any defect in the form of these acts of parliament, and rendered the observance of them more universal than ever had been yielded to the statutes of the most regular or constitutional assembly. By those proceedings, it must, however, be confessed, that the parliament, or rather the nation, violated the last article in the treaty of Edinburgh, and even exceeded the powers which belong to subjects. But, when once men have been accustomed to break through the common boundaries of subjection, and their minds are inflamed with the passions, which civil war inspires, it is mere pedantry or ignorance to measure their conduct by those rules, which can be applied only where

The validity of this parliament called in question.

[u] Knox, 239. 256.

1560. government is in a state of order and tranquillity. A nation, when obliged to employ such extraordinary efforts in defence of its liberties, avails itself of every thing which can promote this great end; and the necessity of the case, as well as the importance of the object, justify any departure from the common and established rules of the constitution.

Ambassadors sent by the parliament to France,

In consequence of the treaty of Edinburgh, as well as by the ordinary forms of business, it became necessary to lay the proceedings of parliament before the king and queen. For this purpose, sir James Sandilands of Calder lord St. John was appointed to repair to the court of France. After holding a course so irregular, the leaders of the congregation had no reason to flatter themselves, that Francis and Mary would ever approve their conduct, or confirm it by their royal assent. The reception of their ambassador was no other than they might have expected. He was treated by the king and queen with the utmost coldness, and dismissed without obtaining the ratification of the parliament's proceedings. From the princes of Lorrain, and their partizans, he endured all the scorn and insult, which it was natural for them to pour upon the party he represented [x].

and to Elizabeth.

Though the earls of Morton, Glencairn, and Maitland of Lethington, the ambassadors of the parliament, to Elizabeth, their protectress, met with a very different reception, they were not more successful in one part of the negotiation intrusted to their care. The Scots, sensible of the security which they derived from their union with England, were desirous of rendering it indissoluble. With this view, they empowered these eminent leaders of their party to testify to Elizabeth their gratitude for that seasonable and effectual aid which she had afforded them, and, at the same time, to

[x] Knox, 255. Buch. 327. State Papers published by lord Hardwicke, vol. i. p. 125, etc.

beseech her to render the friendship between the nations perpetual, by condescending to marry the earl of Arran, who, though a subject, was nearly allied to the royal family of Scotland, and, after Mary, the undoubted heir to the crown. 1560.

To the former part of this commission Elizabeth listened with the utmost satisfaction, and encouraged the Scots, in any future exigency, to hope for the continuance of her good offices; with regard to the latter, she discovered those sentiments to which she adhered throughout her whole reign. Averse from marriage, as some maintain through choice, but more probably out of policy, that ambitious princess would never admit any partner to the throne; but, delighted with the entire and uncontrolled exercise of power, she sacrificed to the enjoyment of that the hopes of transmitting her crown to her own posterity. The marriage with the earl of Arran could not be attended with any such extraordinary advantage, as to shake this resolution; she declined it, therefore, but with many expressions of good will towards the Scottish nation, and of respect for Arran himself[y].

The death of Francis the second.

Towards the conclusion of this year, distinguished by so many remarkable events, there happened one of great importance. On the fourth of December died Francis the second, a prince of a feeble constitution, and of a mean understanding. As he did not leave any issue by the queen, no incident could have been more fortunate to those who, during the late commotions in Scotland, had taken part with the congregation. Mary, by the charms of her beauty, had acquired an entire ascendant over her husband; and, as she transferred all her influence to her uncles, the princes of Lorrain, Francis followed them implicitly in whatever track they were pleased to lead him. The power of France, under such direction, alarmed the Scottish malecontents with

[y] Burn. 3. Append. 308. Keith, 154, etc.

1560. apprehensions of danger, no less formidable than well-founded. The intestine disorders which raged in France, and the seasonable interposition of England in behalf of the congregation, had hitherto prevented the princes of Lorrain from carrying their designs upon Scotland into execution. But, under their vigorous and decisive administration, it was impossible that the commotions in France could be of long continuance, and many things might fall in to divert Elizabeth's attention, for the future, from the affairs of Scotland. In either of these events, the Scots would stand exposed to all the vengeance which the resentment of the French court could inflict. The blow, however long suspended, was unavoidable, and must fall at last with redoubled weight. From this prospect and expectation of danger, the Scots were delivered by the death of Francis; the ancient confederacy of the two kingdoms had already been broken, and, by this event, the chief bond of union which remained was dissolved. Catherine of Medicis, who during the minority of Charles the ninth, her second son, engrossed the entire direction of the French councils, was far from any thoughts of vindicating the Scottish queen's authority. Catherine and Mary had been rivals in power, during the reign of Francis the second, and had contended for the government of that weak and unexperienced prince; but, as the charms of the wife easily triumphed over the authority of the mother, Catherine could never forgive such a disappointment in her favourite passion, and beheld now, with secret pleasure, the difficult and perplexing scene on which her daughter-in-law was about to enter. Mary, overwhelmed with all the sorrow which so sad a reverse of fortune could occasion; slighted by the queen-mother[z]; and forsaken by the tribe of courtiers, who appear only in the sunshine of prosperity, retired to Rheims, and there, in solitude, indulged her grief, or

Mary retires from the court of France.

[z] Hénault, 340. Casteln. 454.

hid her indignation. Even the princes of Lorrain were obliged to contract their views; to turn them from foreign to domestic objects; and, instead of forming vast projects, with regard to Britain, they found it necessary to think of acquiring and establishing an interest with the new administration. 1560.

It is impossible to describe the emotions of joy which, on all these accounts, the death of the French monarch excited among the Scots. They regarded it as the only event which could give firmness and stability to that system of religion and government which was now introduced; and it is no wonder contemporary historians should ascribe it to the immediate care of providence, which, by unforeseen expedients, can secure the peace and happiness of kingdoms, in those situations where human prudence and invention would utterly despair[a].

Establishment of presbyterian church government.

About this time the protestant church of Scotland began to assume a regular form. Its principles had obtained the sanction of public authority, and some fixed external policy became necessary for the government and preservation of the infant society. The model introduced by the reformers differed extremely from that which had been long established. The motives which induced them to depart so far from the ancient system deserve to be explained.

The licentious lives of the clergy, as has been already observed, seem to have been among the first things that excited any suspicion concerning the truth of the doctrines which they taught, and roused that spirit of inquiry which proved fatal to the popish system. As this disgust at the vices of ecclesiastics was soon transferred to their persons, and shifting from them, by no violent transition, settled at last upon the offices which they enjoyed; the effects of the reformation would naturally have extended not only to the doctrine, but to the form of government in the popish church; and the same spirit

[a] Knox, 259.

1560. which abolished the former, would have overturned the latter. But in the arrangements which took place in the different kingdoms and states of Europe, in consequence of the reformation, we may observe something similar to what happened upon the first establishment of christianity in the Roman empire. In both periods, the form of ecclesiastical policy was modelled, in some measure, upon that of the civil government. When the christian church was patronised and established by the state, the jurisdiction of the various orders of ecclesiastics, distinguished by the names of patriarchs, archbishops, and bishops, was made to correspond with the various divisions of the empire; and the ecclesiastic of chief eminence, in each of these, possessed authority, more or less extensive, in proportion to that of the civil magistrate who presided over the same district. When the reformation took place, the episcopal form of government, with its various ranks and degrees of subordination, appearing to be most consistent with the genius of monarchy, it was continued, with a few limitations, in several provinces of Germany, in England, and in the northern kingdoms. But in Switzerland and some parts of the low countries, where the popular form of government allowed more full scope to the innovating genius of the reformation, all preeminence of order in the church was destroyed, and an equality established more suitable to the spirit of republican policy. As the model of episcopal government was copied from that of the christian church, as established in the Roman empire, the situation of the primitive church, prior to its establishment by civil authority, seems to have suggested the idea, and furnished the model of the latter system, which has since been denominated 'presbyterian.' The first christians, oppressed by continual persecutions, and obliged to hold their religious assemblies by stealth and in corners, were contented with a form of government extremely simple. The influence of religion concurred with the sense of danger, in extinguishing among them

the spirit of ambition, and in preserving a parity of rank, the effect of their sufferings, and the cause of many of their virtues. Calvin, whose decisions were received among many protestants of that age with incredible submission, was the patron and restorer of this scheme of ecclesiastical policy. The church of Geneva, formed under his eye and by his direction, was deemed the most perfect model of this government; and Knox, who, during his residence in that city, had studied and admired it, warmly recommended it to the imitation of his countrymen. 1560.

Among the Scottish nobility, some hated the persons, and others coveted the wealth, of the dignified clergy; and by abolishing that order of men, the former indulged their resentment, and the latter hoped to gratify their avarice. The people, inflamed with the most violent aversion to popery, and approving of every scheme that departed farthest from the practice of the Romish church, were delighted with a system so admirably suited to their predominant passion: while the friends of civil liberty beheld with pleasure the protestant clergy pulling down with their own hands that fabric of ecclesiastical power which their predecessors had reared with so much art and industry; and flattered themselves that, by lending their aid to strip churchmen of their dignity and wealth, they might entirely deliver the nation from their exorbitant and oppressive jurisdiction. The new mode of government easily made its way among men thus prepared, by their various interests and passions, for its reception.

But, on the first introduction of his system, Knox did not deem it expedient to depart altogether from the ancient form[b]. Instead of bishops, he proposed to establish ten or twelve superintendents in different parts of the kingdom. These, as the name implies, were empowered to inspect the life and doctrine of the

[b] Spotswood, 158.

1560. other clergy. They presided in the inferior judicatories of the church, and performed several other parts of the episcopal function. Their jurisdiction, however, extended to sacred things only; they claimed no seat in parliament, and pretended no right to the dignity or revenues of the former bishops.

The number of inferior clergy, to whom the care of parochial duty could be committed, was still extremely small; they had embraced the principles of the reformation at different times, and from various motives; during the public commotions, they were scattered, merely by chance, over the different provinces of the kingdom, and in a few places only were formed into re-

Dec. 20. gular classes or societies. The first general assembly of the church, which was held this year, bears all the marks of an infant and unformed society. The members were but few in number, and of no considerable rank; no uniform or consistent rule seems to have been observed in electing them. From a great part of the kingdom no representatives appeared. In the name of some entire counties, but one person was present; while, in other places, a single town or church sent several members. A convention so feeble and irregular, could not possess extensive authority; and, conscious of their own weakness, the members put an end to their debates, without venturing upon any decision of much importance[c].

1561. In order to give greater strength and consistence to the presbyterian plan, Knox, with the assistance of his brethren, composed the first book of discipline, which contains the model or platform of the intended policy[d].

Jan. 15. They presented it to a convention of estates, which was held in the beginning of this year. Whatever regulations were proposed, with regard to ecclesiastical discipline and jurisdiction, would have easily obtained the sanction of that assembly; but a design to recover the

[c] Keith, 498. [d] Spots. 152.

patrimony of the church, which is there insinuated, met with a very different reception. 1561.

In vain did the clergy display the advantages which would accrue to the public, by a proper application of ecclesiastical revenues. In vain did they propose, by an impartial distribution of this fund, to promote true religion, to encourage learning, and to support the poor. In vain did they even intermingle threatenings of the divine displeasure against the unjust detainers of what was appropriated to a sacred use. The nobles held fast the prey which they had seized; and, bestowing upon the proposal the name of a 'devout imagination,' they affected to consider it as a project altogether visionary, and treated it with the utmost scorn[e].

The queen invited to return into Scotland.

This convention appointed the prior of St. Andrew's to repair to the queen, and to invite her to return into her native country, and to assume the reins of government, which had been too long committed to other hands. Though some of her subjects dreaded her return, and others foresaw dangerous consequences with which it might be attended[f], the bulk of them desired it with so much ardour, that the invitation was given, with the greatest appearance of unanimity. But the zeal of the Roman catholics got the start of the prior, in paying court to Mary; and Lesley, afterwards bishop of Ross, who was commissioned by them, arrived before him at the place of her residence[g]. Lesley endeavoured to infuse into the queen's mind suspicions of her protestant subjects, and to persuade her to throw herself entirely into the arms of those who adhered to her own religion. For this purpose, he insisted that she should land at Aberdeen; and, as the protestant doctrines had made no considerable progress in that part of the kingdom, he gave her assurance of being joined in a few days by twenty thousand men; and flattered her that, with such an army, encouraged by her presence and au-

[e] Knox, 256. [f] See Append. No. V. [g] Lesley, 227.

1561. thority, she might easily overturn the reformed church, before it was firmly settled on its foundations.

But, at this juncture, the princes of Lorrain were not disposed to listen to this extravagant and dangerous proposal. Intent on defending themselves against Catherine of Medicis, whose insidious policy was employed in undermining their exorbitant power, they had no leisure to attend to the affairs of Scotland, and wished their niece to take possession of her kingdom, with as little disturbance as possible. The French officers too, who had served in Scotland, dissuaded Mary from all violent measures; and, by representing the power and number of the protestants to be irresistible, determined her to court them by every art; and rather to employ the leading men of that party as ministers, than to provoke them, by a fruitless opposition, to become her enemies[h]. Hence proceeded the confidence and affection, with which the prior of St. Andrew's was received by the queen. His representation of the state of the kingdom gained great credit; and Lesley beheld with regret the new channel in which court favour was likely to run.

Another convention of estates was held in May. The arrival of an ambassador from France seems to have been the occasion of this meeting. He was instructed to solicit the Scots to renew their ancient alliance with France, to break their new confederacy with England, and to restore the popish ecclesiastics to the possession of their revenues and the exercise of their functions. It is no easy matter to form any conjecture concerning the intentions of the French court, in making these extraordinary and ill-timed propositions. They were rejected with that scorn which might well have been expected from the temper of the nation[i].

In this convention, the protestant clergy did not obtain a more favourable audience than formerly, and

[h] Melv. 61. [i] Knox, 269. 273.

their prospect of recovering the patrimony of the church still remained as distant and uncertain as ever. But, with regard to another point, they found the zeal of the nobles in no degree abated. The book of discipline seemed to require that the monuments of popery, which still remained in the kingdom, should be demolished[k]; and, though neither the same pretence of policy, nor the same ungovernable rage of the people, remained to justify or excuse this barbarous havoc, the convention, considering every religious fabric as a relic of idolatry, passed sentence upon them by an act in form; and persons the most remarkable for the activity of their zeal were appointed to put it in execution. Abbeys, cathedrals, churches, libraries, records, and even the sepulchres of the dead, perished in one common ruin. The storm of popular insurrection, though impetuous and irresistible, had extended only to a few counties, and soon spent its rage; but now a deliberate and universal rapine completed the devastation of every thing venerable and magnificent which had escaped its violence[l]. 1561.

In the mean time, Mary was in no haste to return into Scotland. Accustomed to the elegance, splendour, and gaiety of a polite court, she still fondly lingered in France, the scene of all these enjoyments, and contemplated with horrour the barbarism of her own country, and the turbulence of her subjects, which presented her with a very different face of things. The impatience, however, of her people, the persuasions of her uncles, but, above all, the studied and mortifying neglect with which she was treated by the queen-mother, forced her to think of beginning this disagreeable voyage[m]. But, while she was preparing for it, there were sown between her and Elizabeth the seeds of that personal jealousy and discord, which embittered the life, and shortened the days of the Scottish queen. Mary begins to prepare for it.

[k] Spotswood, 153.
[l] Ibid. 174.
[m] Brantome, Jebb, vol. ii. 482.

1561. The ratification of the late treaty of Edinburgh was the immediate occasion of this fatal animosity; the true causes of it lay much deeper. Almost every article in that treaty had been executed by both parties with a scrupulous exactness. The fortifications of Leith were demolished, and the armies of France and England withdrawn within the appointed time. The grievances of the Scottish malecontents were redressed, and they had obtained whatever they could demand for their future security. With regard to all these, Mary could have little reason to decline, or Elizabeth to urge, the ratification of the treaty.

Origin of the discord between her and Elizabeth.

The sixth article remained the only source of contest and difficulty. No minister ever entered more deeply into the schemes of his sovereign, or pursued them with more dexterity and success, than Cecil. In the conduct of the negotiation at Edinburgh, the sound understanding of this able politician had proved greatly an overmatch for Monluc's refinements in intrigue, and had artfully induced the French ambassadors, not only to acknowledge that the crowns of England and Ireland did of right belong to Elizabeth alone, but also to promise, that, in all times to come, Mary should abstain from using the titles, or bearing the arms, of those kingdoms.

The ratification of this article would have been of the most fatal consequence to Mary. The crown of England was an object worthy of her ambition. Her pretensions to it gave her great dignity and importance in the eyes of all Europe. By many, her title was esteemed preferable to that of Elizabeth. Among the English themselves, the Roman catholics, who formed, at that time, a numerous and active party, openly espoused this opinion; and even the protestants, who supported Elizabeth's throne, could not deny the queen of Scots to be her immediate heir. A proper opportunity to avail herself of all these advantages could not, in the course of things, be far distant, and many incidents

might fall in, to bring this opportunity nearer than was expected. In these circumstances, Mary, by ratifying the article in dispute, would have lost that rank which she had hitherto held among neighbouring princes; the zeal of her adherents must have gradually cooled; and she might have renounced, from that moment, all hopes of ever wearing the English crown[n]. 1561.

None of these beneficial consequences escaped the penetrating eye of Elizabeth, who, for this reason, had recourse to every thing by which she could hope either to sooth or frighten the Scottish queen into a compliance with her demands; and if that princess had been so unadvised as to ratify the rash concessions of her ambassadors, Elizabeth, by that deed, would have acquired an advantage, which, under her management, must have turned to great account. By such a renunciation, the question with regard to the right of succession would have been left altogether open and undecided; and, by means of that, Elizabeth might either have kept her rival in perpetual anxiety and dependence, or, by the authority of her parliament, she might have broken in upon the order of lineal succession, and transferred the crown to some other descendant of the royal blood. The former conduct she observed towards James the sixth, whom during his whole reign, she held in perpetual fear and subjection. The latter and more rigorous method of proceeding would, in all probability, have been employed against Mary, whom for many reasons she both envied and hated.

Nor was this step beyond her power, unprecedented in the history, or inconsistent with the constitution, of England. Though succession by hereditary right be an idea so natural and so popular, that it has been established in almost every civilized nation, yet England affords many memorable instances of deviations from that rule. The crown of that kingdom having once

[n] Haynes, 373, etc.

1561. been seized by the hand of a conqueror, this invited the bold and enterprising in every age to imitate such an illustrious example of fortunate ambition. From the time of William the Norman, the regular course of descent had seldom continued through three successive reigns. Those princes, whose intrigues or valour opened to them a way to the throne, called in the authority of the great council of the nation to confirm their dubious titles. Hence parliamentary and hereditary right became in England of equal consideration. That great assembly claimed, and actually possessed a power of altering the order of regal succession; and even so late as Henry the eighth an act of parliament had authorized that capricious monarch to settle the order of succession at his pleasure. The English, jealous of their religious liberty, and averse from the dominion of strangers, would have eagerly adopted the passions of their sovereign, and might have been easily induced to exclude the Scottish line from the right of succeeding to the crown. These seem to have been the views of both queens, and these were the difficulties which retarded the ratification of the treaty of Edinburgh.

But, if the sources of their discord were to be traced no higher than this treaty, an inconsiderable alteration in the words of it might have brought the present question to an amicable issue. The indefinite and ambiguous expression which Cecil had inserted into the treaty, might have been changed into one more limited but more precise; and Mary, instead of promising to abstain from bearing the title of queen of England, in all times to come, might have engaged not to assume that title during the life of Elizabeth, or the lives of her lawful posterity[o].

[o] This expedient for terminating the difference between Elizabeth and Mary was so obvious, that it could not fail of presenting itself to the view of the English ministers. "There hath been a matter secretly thought of, (says Cecil in a letter to Throkmorton, July 14, 1561,) which I dare communicate to you, although I mean never to be an author thereof; and that

Such an amendment, however, did not suit the views of either queen. Though Mary had been obliged to suspend, for some time, the prosecution of her title to the English crown, she had not, however, relinquished it. She determined to revive her claim on the first prospect of success, and was unwilling to bind herself, by a positive engagement, not to take advantage of any such fortunate occurrence. Nor would the alteration have been more acceptable to Elizabeth, who, by agreeing to it, would have tacitly recognised the right of her rival to ascend the throne after her decease. But neither the Scottish nor English queen durst avow these secret sentiments of their hearts. Any open discovery of an inclination to disturb the tranquillity of England, or to wrest the sceptre out of Elizabeth's hands, might have proved fatal to Mary's pretensions. Any suspicion of a design to alter the order of succession, and to set aside the claim of the Scottish queen, would have exposed Elizabeth to much and deserved censure, and have raised up against her many and dangerous enemies. These, however carefully concealed or artfully disguised, were, in all probability, the real motives which determined the one queen to solicit, and the other to refuse, the ratification of the treaty in its original form; while neither had recourse to that explica- 1561.

is, if an accord might be made betwixt our mistress and the Scottish queen, that this should by parliament in Scotland, etc. surrender unto the queen's majesty all matter of claim, and unto the heirs of her body; and in consideration thereof, the Scottish queen's interest should be acknowledged in default of heirs of the body of the queen's majesty. Well, God send our mistress a husband, and by time a son, that we may hope our posterity shall have a masculine succession. This matter is too big for weak folks, and too deep for simple. The queen's majesty knoweth of it." Hardw. State Pap. i. 174. But with regard to every point relating to the succession, Elizabeth was so jealous and so apt to take offence, that her most confidential ministers durst not urge her to advance one step farther than she herself chose to go. Cecil, mentioning some scheme about the succession, if the queen should not marry or leave issue, adds, with his usual caution: "This song hath many parts; but, for my part, I have no skill but in plain song." Ibid. 178.

1561. tion of it, which, to an heart unwarped by political interest, and sincerely desirous of union and concord, would have appeared so obvious and natural.

But, though considerations of interest first occasioned this rupture between the British queens, rivalship of another kind contributed to widen the breach, and female jealousy increased the violence of their political hatred. Elizabeth, with all those extraordinary qualities by which she equalled or surpassed such of her sex as have merited the greatest renown, discovered an admiration of her own person, to a degree which women of ordinary understandings either do not entertain, or prudently endeavour to conceal. Her attention to dress, her solicitude to display her charms, her love of flattery, were all excessive. Nor were these weaknesses confined to that period of life, when they are more pardonable. Even in very advanced years, the wisest woman of that, or, perhaps, of any other age, wore the garb and affected the manners of a girl[p]. Though Elizabeth was as much inferior to Mary in beauty and gracefulness of person, as she excelled her in political abilities and in the arts of government, she was weak enough to compare herself with the Scottish queen[q]; and, as it was impossible she could be altogether ignorant how much Mary gained by the comparison, she envied and hated her, as a rival by whom she was eclipsed. In judging of the conduct of princes, we are apt to ascribe too much to political motives, and too little to the passions which they feel in common with the rest of mankind. In order to account for Elizabeth's present, as well as her subsequent, conduct towards Mary, we must not always consider her as a queen, we must sometimes regard her merely as a woman.

Elizabeth, though no stranger to Mary's difficulties

[p] Johnston, Hist. Rer. Britan. 346, 347. Carte, vol. iii. 699. Catalogue of Royal and Noble Authors, article *Essex*.

[q] Melvil, 96.

with respect to the treaty, continued to urge her, by repeated applications, to ratify it[r]. Mary, under various pretences, still contrived to gain time, and to elude the request. But, while the one queen solicited with persevering importunity, and the other evaded with artful delay, they both studied an extreme politeness of behaviour, and loaded each other with professions of sisterly love, with reciprocal declarations of unchangeable esteem and amity. 1561.

It was not long before Mary was convinced, that among princes these expressions of friendship are commonly far distant from the heart. In sailing from France to Scotland, the course lies along the English coast. In order to be safe from the insults of the English fleet, or, in case of tempestuous weather, to secure a retreat in the harbours of that kingdom, Mary sent monsieur d'Oysel to demand of Elizabeth a safe-conduct during her voyage. This request, which decency alone obliged one prince to grant to another, Elizabeth rejected, in such a manner as gave rise to no slight suspicion of a design, either to obstruct the passage, or to intercept the person of the Scottish queen[s]. Elizabeth refuses Mary a safe-conduct.

Mary, in a long conference with Throkmorton, the English ambassador in France, explained her sentiments concerning this ungenerous behaviour of his mistress, in a strain of dignified expostulation, which conveys an idea of her abilities, address, and spirit, as advantageous as any transaction in her reign. Mary was, at that time, only in her eighteenth year; and as Throkmorton's account of what passed in his interview with her, is addressed directly to Elizabeth[t], that dexterous courtier, we may be well assured, did not embellish the discourse of the Scottish queen with any colouring too favourable.

Whatever resentment Mary might feel, it did not Mary begins her voyage.

[r] Keith, 157. 160, etc.

[s] Keith, 171. Camden. See Appendix, No. VI.

[t] Cabbala, p. 374. Keith, 170, etc.

1561. retard her departure from France. She was accompanied to Calais, the place where she embarked, in a manner suitable to her dignity, as the queen of two powerful kingdoms. Six princes of Lorrain, her uncles, with many of the most eminent among the French nobles, were in her retinue. Catherine, who secretly rejoiced at her departure, graced it with every circumstance of magnificence and respect. After bidding adieu to her mourning attendants, with a sad heart, and eyes bathed in tears, Mary left that kingdom, the short but only scene of her life in which fortune smiled upon her. While the French coast continued in sight, she intently gazed upon it, and musing, in a thoughtful posture, on that height of fortune whence she had fallen, and presaging, perhaps, the disasters and calamities which embittered the remainder of her days, she sighed often, and cried out "Farewell, France! Farewell, beloved country, which I shall never more behold!" Even when the darkness of the night had hid the land from her view, she would neither retire to the cabin, nor taste food, but commanding a couch to be placed on the deck, she there waited the return of day with the utmost impatience. Fortune soothed her on this occasion; the galley made little way during the night. In the morning, the coast of France was still within sight, and she continued to feed her melancholy with the prospect; and, as long as her eyes could distinguish it, to utter the same tender expressions of regret[w]. At last a brisk gale arose, by the favour of which for some days, and afterwards under the cover of a thick fog, Mary escaped the English fleet, which, as she apprehended, lay in wait in order to intercept her[x]; and, on the nineteenth of August, after an ab-

[w] Brantome, 483. He himself was in the same galley with the queen.

[x] Goodal, vol. i. 175. Camden insinuates, rather than affirms, that it was the object of the English fleet to intercept Mary. This, however, seems to be doubtful. Elizabeth positively asserts that, at the request of the king of Spain, she had fitted out a few ships of slender force, in order to

sence of near thirteen years, landed safely at Leith in her native kingdom. 1561.

Arrives in Scotland.

Mary was received by her subjects with shouts and acclamations of joy, and with every demonstration of welcome and regard. But, as her arrival was unexpected, and no suitable preparation had been made for it, they could not, with all their efforts, hide from her the poverty of the country, and were obliged to conduct her to the palace of Holyrood-house with little pomp. The queen, accustomed from her infancy to splendour and magnificence, and fond of them, as was natural at her age, could not help observing the change in her situation, and seemed to be deeply affected with it[y].

State of the kingdom at this time.

Never did any prince ascend the throne at a juncture which called for more wisdom in council, or more courage and steadiness in action. The rage of religious controversy was still unabated. The memory of past oppression exasperated the protestants; the smart of recent injuries rendered the papists desperate; both were zealous, fierce, and irreconcilable. The absence of their sovereign had accustomed the nobles to independence; and, during the late commotions, they had acquired such an increase of wealth, by the spoils of the church, as threw great weight into the scale of the aristocracy, which stood not in need of any accession of power. The kingdom had long been under the government of regents, who exercised a delegated jurisdiction, attended with little authority, and which inspired no reverence. A state of pure anarchy had prevailed for

clear the narrow seas of pirates, which infested them; and she appeals for the truth of this to Mary's own ministers. App. No. VI. Cecil, in a letter to Throkmorton, Aug. 26, 1561, informs him, that "the queen's ships, which were upon the seas to cleanse them of pirates, saw her, [i. e. Mary,] and saluted her galleys, and staying her ships examined them of pirates, and dismissed them gently. One Scottish ship they detain, as vehemently suspected of piracy." Hardw. State Papers, i. 176. Castelnau, who accompanied Mary in this voyage, confirms the circumstance of her galleys being in sight of the English fleet. Mém. ap. Jebb. xi. 455.

[y] Brant. 484.

1561. the two last years, without a regent, without a supreme council, without the power, or even the form, of a regular government[s]. A licentious spirit, unacquainted with subordination, and disdaining the restraints of law and justice, had spread among all ranks of men. The influence of France, the ancient ally of the kingdom, was withdrawn or despised. The English, of enemies become confederates, had grown into confidence with the nation, and had gained an ascendant over all its councils. The Scottish monarchs did not derive more splendour or power from the friendship of the former, than they had reason to dread injury and diminution from the interposition of the latter. Every consideration, whether of interest or of self-preservation, obliged Elizabeth to depress the royal authority in Scotland, and to create the prince perpetual difficulties, by fomenting the spirit of dissatisfaction among the people.

In this posture were the affairs of Scotland, when the administration fell into the hands of a young queen, not nineteen years of age, unacquainted with the manners and laws of her country, a stranger to her subjects, without experience, without allies, and almost without a friend.

On the other hand, in Mary's situation we find some circumstances, which, though they did not balance these disadvantages, contributed however to alleviate them; and, with skilful management, might have produced great effects. Her subjects, unaccustomed so long to the residence of their prince, were not only dazzled by the novelty and splendour of the royal presence, but inspired with awe and reverence. Besides the places of power and profit bestowed by the favour of a prince, his protection, his familiarity, and even his smiles, confer honour, and win the hearts of men. From all corners of the kingdom, the nobles crowded to testify their duty and affection to their sovereign, and studied by every art to wipe out the memory of past misconduct,

[s] Keith, Append. 92.

and to lay in a stock of future merit. The amusements and gaiety of her court, which was filled with the most accomplished of the French nobility, who had attended her, began to soften and to polish the rude manners of the nation. Mary herself possessed many of those qualifications which raise affection and procure esteem. The beauty and gracefulness of her person drew universal admiration, the elegance and politeness of her manners commanded general respect. To all the charms of her own sex, she added many of the accomplishments of the other. The progress she had made in all the arts and sciences, which were then deemed necessary or ornamental, was far beyond what is commonly attained by princes; and all her other qualities were rendered more agreeable by a courteous affability, which, without lessening the dignity of a prince, steals on the hearts of subjects with a bewitching insinuation. 1561.

From these circumstances, notwithstanding the threatening aspect of affairs at Mary's return into Scotland; notwithstanding the clouds which gathered on every hand, a political observer would have predicted a very different issue of her reign; and, whatever sudden gusts of faction he might have expected, he would never have dreaded the destructive violence of that storm which followed.

While all parties were contending, who should discover the most dutiful attachment to the queen, the zealous and impatient spirit of the age broke out in a remarkable instance. On the Sunday after her arrival, the queen commanded mass to be celebrated in the chapel of her palace. The first rumour of this occasioned a secret murmuring among the protestants who attended the court; complaints and threatenings soon followed; the servants belonging to the chapel were insulted and abused; and, if the prior of St. Andrew's had not seasonably interposed, the rioters might have proceeded to the utmost excesses[a].

[a] Knox, 284. Haynes, 372.

1561. It is impossible, at this distance of time, and under circumstances so very different, to conceive the violence of that zeal against popery, which then possessed the nation. Every instance of condescension to the papists was deemed an act of apostacy, and the toleration of a single mass pronounced to be more formidable to the nation than the invasion of ten thousand armed men[b]. Under the influence of these opinions, many protestants would have ventured to go dangerous lengths; and, without attempting to convince their sovereign by argument, or to reclaim her by indulgence, would have abruptly denied her the liberty of worshipping God in that manner which alone she thought acceptable to him. But the prior of St. Andrew's, and other leaders of the party, not only restrained this impetuous spirit, but, in spite of the murmurs of the people and the exclamations of the preachers, obtained for the queen and her domestics the undisturbed exercise of the catholic religion. Near an hundred years after this period, when the violence of religious animosities had begun to subside, when time and the progress of learning had enlarged the views of the human mind, an English house of commons refused to indulge the wife of their sovereign in the private use of the mass. The protestant leaders deserve, on this occasion, the praise both of wisdom and of moderation for conduct so different. But, at the same time, whoever reflects upon the encroaching and sanguinary spirit of popery in that age, will be far from treating the fears and caution of the more zealous reformers, as altogether imaginary, and destitute of any real foundation.

The leaders of the protestants, however, by this prudent compliance with the prejudices of their sovereign, obtained from her a proclamation highly favourable to their religion, which was issued six days after her arAug. 25. rival in Scotland. The reformed doctrine, though esta-

[b] Knox, 287.

blished over all the kingdom by the parliament, which met in consequence of the treaty of pacification, had never received the countenance or sanction of royal authority. In order to quiet the minds of those who had embraced that doctrine, and to remove any dread of molestation which they might entertain, Mary declared, "that until she should take final orders concerning religion, with advice of parliament, any attempt to alter or subvert the religion which she found universally practised in the realm, should be deemed a capital crime[c]." Next year a second proclamation to the same effect was published[d]. 1561.

The queen, conformably to the plan which had been concerted in France, committed the administration of affairs entirely to protestants. Her council was filled with the most eminent persons of that party; not a single papist was admitted into any degree of confidence[e]. The prior of St. Andrew's and Maitland of Lethington seemed to hold the first place in the queen's affection, and possessed all the power, as well as reputation, of favourite ministers. Her choice could not have fallen upon persons more acceptable to her people; and, by their prudent advice, Mary conducted herself with so much moderation, and deference to the sentiments of the nation, as could not fail of gaining the affection of her subjects[f], the firmest foundation of a prince's power, and the only genuine source of his happiness and glory. She employs only protestants in the administration.

A cordial reconcilement with Elizabeth was another object of great importance to Mary; and though she seems to have had it much at heart, in the beginning of her administration, to accomplish such a desirable conjunction, yet many events occurred to widen, rather than to close, the breach. The formal offices of friendship, however, are seldom neglected among princes; and Elizabeth, who had attempted so openly to obstruct Attempts to gain Elizabeth's favour.

[c] Keith, 504. [d] Ibid. 510. [e] Knox, 285. [f] Lesley, 235.

1561. the queen's voyage into Scotland, did not fail, a few days after her arrival, to command Randolph to congratulate her safe return. Mary, that she might be on equal terms with her, sent Maitland to the English court, with many ceremonious expressions of regard for Elizabeth[g]. Both the ambassadors were received with the utmost civility; and, on each side, the professions of kindness, as they were made with little sincerity, were listened to with proportional credit.

Both were intrusted, however, with something more than mere matter of ceremony. Randolph urged Mary, with fresh importunity, to ratify the treaty of Edinburgh. Maitland endeavoured to amuse Elizabeth, by apologizing for the dilatory conduct of his mistress with regard to that point. The multiplicity of public affairs since her arrival in Scotland, the importance of the question in dispute, and the absence of many noblemen, with whom she was obliged in decency to consult, were the pretences offered in excuse for her conduct; the real causes of it were those which have already been mentioned. But, in order to extricate herself out of these difficulties, into which the treaty of Edinburgh had led her, Mary was brought to yield a point, which formerly she seemed determined never to give up. She instructed Maitland to signify her willingness to disclaim any right to the crown of England, during the life of Elizabeth, and the lives of her posterity; if, in failure of these, she were declared next heir by act of parliament[h].

Reasonable as this proposal might appear to Mary, who thereby precluded herself from disturbing Elizabeth's possession of the throne, nothing could be more inconsistent with Elizabeth's interest, or more contradictory to a passion which predominated in the character of that princess. Notwithstanding all the great qualities which threw such lustre on her reign, we may

[g] Keith, 181, etc. [h] Camden, 387. Buch. 329.

observe, that she was tinctured with a jealousy of her right to the crown, which often betrayed her into mean and ungenerous actions. The peculiarity of her situation heightened, no doubt, and increased, but did not infuse, this passion. It descended to her from Henry the seventh, her grandfather, whom, in several features of his character, she nearly resembled. Like him, she suffered the title by which she held the crown to remain ambiguous and controverted, rather than submit it to parliamentary discussion, or derive any addition to her right from such authority. Like him, she observed every pretender to the succession, not only with that attention which prudence prescribes, but with that aversion which suspicion inspires. The present uncertainty with regard to the right of succession operated for Elizabeth's advantage, both on her subjects and on her rivals. Among the former, every lover of his country regarded her life, as the great security of the national tranquillity; and chose rather to acknowledge a title which was dubious, than to search for one that was unknown. The latter, while nothing was decided, were held in dependence, and obliged to court her. The manner in which she received this ill-timed proposal of the Scottish queen, was no other than might have been expected. She rejected it in a peremptory tone, with many expressions of a resolution never to permit a point of so much delicacy to be touched. 1561.

About this time the queen made her public entry into Edinburgh with great pomp. Nothing was neglected, that could express the duty and affection of the citizens towards their sovereign. But, amidst these demonstrations of regard, the genius and sentiments of the nation discovered themselves, in a circumstance, which, though inconsiderable, ought not to be overlooked. As it was the mode of the times to exhibit many pageants at every public solemnity, most of these, on this occasion, were contrived to be representations of the vengeance which the Almighty had inflicted Sept. 1.

1561. upon idolaters[1]. Even while they studied to amuse and to flatter the queen, her subjects could not refrain from testifying their abhorrence of that religion which she professed.

Restrains the license of the borderers.

To restore the regular administration of justice, and to reform the internal policy of the country, became the next object of the queen's care. The laws enacted for preservation of public order, and the security of private property, were nearly the same in Scotland as in every other civilized country. But the nature of the Scottish constitution, the feebleness of regal authority, the exorbitant power of the nobles, the violence of faction, and the fierce manners of the people, rendered the execution of these laws feeble, irregular, and partial. In the counties which border on England, this defect was most apparent; and the consequences of it most sensibly felt. The inhabitants, strangers to industry, averse from labour, and unacquainted with the arts of peace, subsisted chiefly by spoil and pillage; and, being confederated in septs or clans, committed these excesses not only with impunity, but even with honour. During the unsettled state of the kingdom from the death of James the fifth, this dangerous license had grown to an unusual height; and the inroads and rapine of those freebooters were become no less intolerable to their own countrymen than to the English. To restrain and punish these outrages, was an action equally popular in both kingdoms. The prior of St. Andrew's was the person chosen for this important service, and extraordinary powers, together with the title of the queen's lieutenant, were vested in him for this purpose.

Nothing can be more surprising to men accustomed to regular government, than the preparations made on this occasion. They were such as might be expected in the rudest and most imperfect state of society. The freeholders of eleven several counties, with all their

[1] Keith, 189.

followers completely armed, were summoned to assist the lieutenant in the discharge of his office. Every thing resembled a military expedition, rather than the progress of a court of justice[k]. The prior executed his commission with such vigour and prudence, as acquired him a great increase of reputation and popularity among his countrymen. Numbers of the banditti suffered the punishment due to their crimes; and, by the impartial and rigorous administration of justice, order and tranquillity were restored to that part of the kingdom. 1561.

The papists attempt, in vain, to get into favour with her.

During the absence of the prior of St. Andrew's, the leaders of the popish faction seem to have taken some steps towards insinuating themselves into the queen's favour and confidence[l]. But the archbishop of St. Andrew's, the most remarkable person in the party for abilities and political address, was received with little favour at court; and, whatever secret partiality the queen might have towards those who professed the same religion with herself, she discovered no inclination, at that time, to take the administration of affairs out of the hands to which she had already committed it.

The cold reception of the archbishop of St. Andrew's was owing to his connexion with the house of Hamilton; from which the queen was much alienated. The duke of Guise and the cardinal could never forgive the zeal with which the duke of Chatelherault and his son, the earl of Arran, had espoused the cause of the congregation. Princes seldom view their successors without jealousy and distrust. The prior of St. Andrew's, perhaps, dreaded the duke, as a rival in power. All these causes concurred in infusing into the queen's mind an aversion for that family. The duke, indulging his love of retirement, lived at a distance from court, without taking pains to insinuate himself into favour; and though the earl of Arran openly aspired to marry

[k] Keith, 198. [l] Ibid. 203.

1561. the queen, he, by a most unpardonable act of imprudence, was the only nobleman of distinction who opposed Mary's enjoying the exercise of her religion; and, by rashly entering a public protestation against it, entirely forfeited her favour[m]. At the same time, the sordid parsimony of his father obliged him either to hide himself in some retirement, or to appear in a manner unbecoming his dignity, as first prince of the blood, or his high pretensions, as suitor to the queen[n]. His love inflamed by disappointment, and his impatience exasperated by neglect, preyed gradually on his reason, and, after many extravagancies, broke out at last in ungovernable phrensy.

Dec. 20. Towards the end of the year, a convention of estates was held, chiefly on account of ecclesiastical affairs. The assembly of the church, which sat at the same time, presented a petition, containing many demands with respect to the suppressing of popery, the encouraging the protestant religion, and the providing for the maintenance of the clergy[o]. The last was a matter of great importance, and the steps taken towards it deserve to be traced.

A new regulation concerning the revenues of the church.

Though the number of protestant preachers was now considerably increased, many more were still wanted, in every corner of the kingdom. No legal provision having been made for them, they had hitherto drawn a scanty and precarious subsistence from the benevolence of their people. To suffer the ministers of an established church to continue in this state of indigence and dependence, was an indecency equally repugnant to the principles of religion, and to the maxims of sound policy; and would have justified all the imputations of avarice, with which the reformation was then loaded by its enemies. The revenues of the popish church were the only fund which could be employed for their relief;

[m] Keith, 201. 204. Knox, 286. [n] Keith, 196.
[o] Ibid. 210.

but, during the three last years, the state of these was greatly altered. A great majority of abbots, priors, and other heads of religious houses, had, either from a sense of duty, or from views of interest, renounced the errours of popery; and, notwithstanding this change in their sentiments, they retained their ancient revenues. Almost the whole order of bishops, and several of the other dignitaries, still adhered to the Romish superstition; and, though debarred from every spiritual function, continued to enjoy the temporalities of their benefices. Some laymen, especially those who had been active in promoting the reformation, had, under various pretences, and amidst the license of civil wars, got into their hands possessions which belonged to the church. Thus, before any part of the ancient ecclesiastical revenues could be applied towards the maintenance of the protestant ministers, many different interests were to be adjusted; many claims to be examined; and the prejudices and passions of the two contending parties required the application of a delicate hand. After much contention, the following plan was approved by a majority of voices, and acquiesced in even by the popish clergy themselves. An exact account of the value of ecclesiastical benefices, throughout the kingdom, was appointed to be taken. The present incumbents, to whatever party they adhered, were allowed to keep possession: two thirds of their whole revenue were reserved for their own use, the remainder was annexed to the crown; and out of that, the queen undertook to assign a sufficient maintenance for the protestant clergy[p]. 1561.

As most of the bishops and several of the other dignitaries were still firmly attached to the popish religion, the extirpation of the whole order, rather than an act of such extraordinary indulgence, might have been expected from the zeal of the preachers, and from the

[p] Keith, Append. 176. Knox, 194.

1561. spirit which had hitherto animated the nation. But, on this occasion, other principles obstructed the operations of such as were purely religious. Zeal for liberty, and the love of wealth, two passions extremely opposite, concurred in determining the protestant leaders to fall in with this plan, which deviated so manifestly from the maxims by which they had hitherto regulated their conduct.

If the reformers had been allowed to act without control, and to level all distinctions in the church, the great revenues annexed to ecclesiastical dignities could not, with any colour of justice, have been retained by those in whose hands they now were; but must either have been distributed amongst the protestant clergy, who performed all religious offices, or must have fallen to the queen, from the bounty of whose ancestors the greater part of them was originally derived. The former scheme, however suitable to the religious spirit of many among the people, was attended with manifold danger. The popish ecclesiastics had acquired a share in the national property, which far exceeded the proportion that was consistent with the happiness of the kingdom; and the nobles were determined to guard against this evil, by preventing the return of those possessions into the hands of the church. Nor was the latter, which exposed the constitution to more imminent hazard, to be avoided with less care. Even that circumscribed prerogative, which the Scottish kings possessed, was the object of jealousy to the nobles. If they had allowed the crown to seize the spoils of the church, such an increase of power must have followed that accession of property, as would have raised the royal authority above control, and have rendered the most limited prince in Europe the most absolute and independent. The reign of Henry the eighth presented a recent and alarming example of this nature. The wealth which flowed in upon that prince, from the suppression of the monasteries, not only changed the

maxims of his government, but the temper of his mind; and he, who had formerly submitted to his parliaments, and courted his people, dictated from that time to the former with intolerable insolence, and tyrannised over the latter with unprecedented severity. And, if his policy had not been extremely short-sighted, if he had not squandered what he acquired, with a profusion equal to his rapaciousness, and which defeated his ambition, he might have established despotism in England, on a basis so broad and strong, as all the efforts of the subjects would never have been able to shake. In Scotland, where the riches of the clergy bore as great a proportion to the wealth of the kingdom, the acquisition of church lands would have been of no less importance to the crown, and no less fatal to the aristocracy. The nobles, for this reason, guarded against such an increase of the royal power, and, thereby, secured their own independence. 1561.

Avarice mingled itself with their concern for the interest of their order. The reuniting the possessions of the church to the crown, or the bestowing them on the protestant clergy, would have been a fatal blow, both to those nobles who had, by fraud or violence, seized part of these revenues, and to those abbots and priors who had totally renounced their ecclesiastical character. But as the plan which was proposed, gave some sanction to their usurpation, they promoted it with their utmost influence. The popish ecclesiastics, though the lopping off a third of their revenues was by no means agreeable to them, consented, under their present circumstances, to sacrifice a part of their possessions, in order to purchase the secure enjoyment of the remainder; and, after deeming the whole irrecoverably lost, they considered whatever they could retrieve as so much gain. Many of the ancient dignitaries were men of noble birth; and, as they no longer entertained hopes of restoring the popish religion, they wished their own relations, rather than the crown, or the protestant

1561. clergy, to be enriched with the spoils of the church. They connived, for this reason, at the encroachments of the nobles; they even aided their avarice and violence; they dealt out the patrimony of the church among their own relations, and, by granting 'feus' and perpetual leases of lands and tithes, gave, to the utmost of their power, some colour of legal possession to what was formerly mere usurpation. Many vestiges of such alienations still remain[q]. The nobles, with the concurrence of the incumbents, daily extended their encroachments, and gradually stripped the ecclesiastics of their richest and most valuable possessions. Even that third part, which was given up, in order to silence the clamours of the protestant clergy, and to be some equivalent to the crown for its claims, amounted to no considerable sum. The 'thirds' due by the more powerful nobles, especially by such as had embraced the reformation, were almost universally remitted. Others, by producing fraudulent rentals; by estimating the corn, and other payments in kind, at an undervalue; and by the connivance of collectors, greatly diminished the charge against themselves[r]: and the nobles had much reason to be satisfied with a device which, at so small expense, secured to them such valuable possessions.

The protestant clergy no gainers by it.

Nor were the protestant clergy considerable gainers by this new regulation; they found it to be a more easy matter to kindle zeal, than to extinguish avarice. Those very men, whom formerly they had swayed with absolute authority, were now deaf to all their remonstrances. The prior of St. Andrew's, the earl of Argyll, the earl of Morton, and Maitland, all the most zealous leaders of the congregation, were appointed to assign, or, as it was called, to 'modify' their stipends. An hundred merks Scottish was the allowance which their liberality afforded to the generality of ministers. To a few three

[q] Keith, 507. Spotsw. 175.
[r] Keith, Append. 188. Spotsw. 183.

hundred merks were granted [s]. About twenty-four thousand pounds Scottish appears to have been the whole sum allotted for the maintenance of a national church, established by law, and esteemed throughout the kingdom the true church of God [t]. Even this sum was paid with little exactness, and the ministers were kept in the same poverty and dependence as formerly. 1561.

The gentleness of the queen's administration, and the elegance of her court, had mitigated, in some degree, the ferocity of the nobles, and accustomed them to greater mildness and humanity; while, at the same time, her presence and authority were a check to their factious and tumultuary spirit. But, as a state of order and tranquillity was not natural to the feudal aristocracy, it could not be of long continuance; and this year became remarkable for the most violent eruptions of intestine discord and animosity. 1562. Dissensions among the nobles.

Among the great and independent nobility of Scotland, a monarch could possess little authority, and exercise no extensive or rigorous jurisdiction. The interfering of interest, the unsettled state of property, the frequency of public commotions, and the fierceness of their own manners, sowed among the great families the seeds of many quarrels and contentions. These, as we have already observed, were frequently decided not by law, but by violence. The offended baron, without having recourse to the monarch, or acknowledging his superior authority, assembled his own followers, and invaded the lands of his rival in an hostile manner. Together with his estate and honours, every nobleman transmitted some hereditary feud to his posterity, who were bound in honour to adopt and to prosecute it with unabated rancour.

Such a dissension had subsisted between the house of Hamilton and the earl of Bothwell, and was heightened by mutual injuries during the late commotions [u].

[s] Knox, 301. [t] Keith, Append. 188. [u] Keith, 215.

1562. February. The earl of Arran and Bothwell happening to attend the court at the same time, their followers quarrelled frequently in the streets of Edinburgh, and excited dangerous tumults in that city. At last, the mediation of their friends, particularly of Knox, brought about a reconcilement, but an unfortunate one to both these noblemen [x].

A few days after, Arran came to Knox, and, with the utmost terrour and confusion, confessed first to him, and then to the prior of St. Andrew's, that, in order to obtain the sole direction of affairs, Bothwell, and his kinsmen the Hamiltons, had conspired to murder the prior, Maitland, and the other favourites of the queen. The duke of Chatelherault regarded the prior as a rival, who had supplanted him in the queen's favour, and who filled that place at the helm, which he imagined to be due to himself, as first prince of the blood. Bothwell, on account of the personal injuries which he had received from the prior, during the hostile operations of the two contending parties, was no less exasperated against him. But whether he and the Hamiltons had agreed to cement their new alliance with the blood of their common enemy, or whether the conspiracy existed only in the frantic and disordered imagination of the earl of Arran, it is impossible, amidst the contradiction of historians and the defectiveness of records, positively to determine. Among men inflamed with resentment and impatient for revenge, rash expressions might be uttered, and violent and criminal expedients proposed; and, on that foundation, Arran's distempered fancy might rear the whole superstructure of a conspiracy. All the persons accused, denied their guilt with the utmost confidence. But the known characters of the men, and the violent spirit of the age, added greatly to the probability of the accusation, and abundantly justify the conduct of the queen's ministers,

[x] Knox, 365.

who confined Bothwell, Arran, and a few of the ring-leaders, in separate prisons, and obliged the duke to surrender the strong castle of Dumbarton, which he had held ever since the time of his resigning the office of regent[y]. 1562.

The designs of the earl of Huntly against the prior of St. Andrew's were deeper laid, and produced more memorable and more tragical events. George Gordon, earl of Huntly, having been one of the nobles who conspired against James the third, and who raised his son, James the fourth, to the throne, enjoyed a great share in the confidence of that generous prince[z]. By his bounty, great accessions of wealth and power were added to a family already opulent and powerful. On the death of that monarch, Alexander, the next earl, being appointed lord-lieutenant of all the counties beyond Forth, left the other nobles to contend for offices at court; and retiring to the north, where his estate and influence lay, resided there in a kind of princely independence. The chieftains, in that part of the kingdom, dreaded the growing dominion of such a dangerous neighbour, but were unable to prevent his encroachments. Some of his rivals he secretly undermined, others he subdued by open force. His estate far exceeded that of any other subject, and his 'superiorities' and jurisdictions extended over many of the northern counties. With power and possessions so extensive, under two long and feeble minorities, and amidst the shock of civil commotions, the earls of Huntly might have indulged the most elevated hopes. But, happily for the crown, an active and enterprising spirit was not the characteristic of that family; and, whatever object their ambition might have in view, they chose rather to acquire it by political address, than to seize it openly, and by force of arms. The earl of Huntly's enmity to the queen's ministers.

The conduct of George, the present earl, during the

[y] Knox, 307, 308. [z] Crawf. Officers of State, 56.

1562. late commotions, had been perfectly suitable to the character of the family in that age, dubious, variable, and crafty. While the success of the lords of the congregation was uncertain, he assisted the queen regent in her attempts to crush them. When their affairs put on a better aspect, he pretended to join them, but never heartily favoured their cause. He was courted and feared by each of the contending parties; both connived at his encroachments in the north; and, by artifice and force, which he well knew how to employ alternately, and in their proper places, he added every day to the exorbitant power and wealth which he possessed.

He observed the growing reputation and authority of the prior of St. Andrew's with the greatest jealousy and concern, and considered him as a rival, who had engrossed that share in the queen's confidence, to which his own zeal for the popish religion seemed to give him a preferable title. Personal injuries soon increased the misunderstanding occasioned by rivalship in power. The queen having determined to reward the services of the prior of St. Andrew's, by creating him an earl, she made choice of Mar, as the place whence he should
Feb. 1. take his title; and, that he might be better able to support his new honour, bestowed upon him, at the same time, the lands of that name. These were part of the royal demesnes [a], but the earls of Huntly had been permitted, for several years, to keep possession of them [b]. On this occasion the earl not only complained, with some reason, of the loss which he sustained, but had real cause to be alarmed at the intrusion of a formidable neighbour into the heart of his territories, who might be able to rival his power, and excite his oppressed vassals to shake off his yoke.

June 27. An incident, which happened soon after, increased and confirmed Huntly's suspicions. Sir John Gordon,

[a] Crawf. Peer. 297. [b] Buch. 334.

his third son, and lord Ogilvie, had a dispute about the property of an estate. This dispute became a deadly quarrel. They happened unfortunately to meet in the streets of Edinburgh; and, being both attended with armed followers, a scuffle ensued, in which lord Ogilvie was dangerously wounded by sir John. The magistrates seized both the offenders, and the queen commanded them to be strictly confined. Under any regular government, such a breach of public peace and order would expose the person offending to certain punishment. At this time some severity was necessary, in order to vindicate the queen's authority from an insult, the most heinous which had been offered to it, since her return into Scotland. But, in an age accustomed to license and anarchy, even this moderate exercise of her power, in ordering them to be kept in custody, was deemed an act of intolerable rigour; and the friends of each party began to convene their vassals and dependents, in order to overawe or to frustrate the decisions of justice[c]. Meanwhile, Gordon made his escape out of prison, and flying into Aberdeenshire, complained loudly of the indignity with which he had been treated; and as all the queen's actions were, at this juncture, imputed to the earl of Mar, this added not a little to the resentment which Huntly had conceived against that nobleman. 1562.

At the very time when these passions fermented, with the utmost violence, in the minds of the earl of Huntly and his family, the queen happened to set out on a progress into the northern parts of the kingdom. She was attended by the earls of Mar and Morton, Maitland, and other leaders of that party. The presence of the queen, in a country where no name greater than the earl of Huntly's had been heard of, and no power superior to his had been exercised, for many years, was an event of itself abundantly mortifying to that haughty August.

[c] Keith, 223.

1562. nobleman. But while the queen was entirely under the direction of Mar, all her actions were more apt to be misrepresented, and construed into injuries; and a thousand circumstances could not but occur to awaken Huntly's jealousy, to offend his pride, and to inflame his resentment. Amidst the agitations of so many violent passions, some eruption was unavoidable.

On Mary's arrival in the north, Huntly employed his wife, a woman capable of executing the commission with abundance of dexterity, to sooth the queen, and to intercede for pardon to their son. But the queen peremptorily required that he should again deliver himself into the hands of justice, and rely on her clemency. Gordon was persuaded to do so; and being enjoined by the queen to enter himself prisoner in the castle of Stirling, he promised likewise to obey that command. Lord Erskine, Mar's uncle, was at that time governor of this fort. The queen's severity, and the place in which she appointed Gordon to be confined, were interpreted to be new marks of Mar's rancour, and augmented the hatred of the Gordons against him.

Sept. 1. Meantime, sir John Gordon set out towards Stirling; but, instead of performing his promise to the queen, made his escape from his guards, and returned to take the command of his followers, who were rising in arms all over the north. These were destined to second and improve the blow, by which his father proposed, secretly and at once, to cut off Mar, Morton, and Maitland, his principal adversaries. The time and place for perpetrating this horrid deed were frequently appointed; but the executing of it was wonderfully prevented, by some of those unforeseen accidents, which so often occur to disconcert the schemes, and to intimidate the hearts of assassins[d]. Huntly's own house, at Strathbogie, was the last and most convenient scene appointed for committing the intended violence. But,

[d] Keith, 230.

on her journey thither, the queen heard of young Gordon's flight and rebellion, and refusing, in the first transports of her indignation, to enter under the father's roof, by that fortunate expression of her resentment saved her ministers from unavoidable destruction[e]. 1562.

The ill success of these efforts of private revenge precipitated Huntly into open rebellion. As the queen was entirely under the direction of his rivals, it was impossible to compass their ruin, without violating the allegiance which he owed his sovereign. On her arrival at Inverness, the commanding officer in the castle, by Huntly's orders, shut the gates against her. Mary was obliged to lodge in the town, which was open and defenceless; but this too was quickly surrounded by a multitude of the earl's followers[f]. The utmost consternation seized the queen, who was attended by a very slender train. She every moment expected the approach of the rebels, and some ships were already ordered into the river to secure her escape. The loyalty of the Munroes, Frazers, Mackintoshes, and some neighbouring clans, who took arms in her defence, saved her from this danger. By their assistance, she even forced the castle to surrender, and inflicted on the governor the punishment which his insolence deserved. Take arms against the queen.

This open act of disobedience was the occasion of a measure more galling to Huntly than any the queen had hitherto taken. Lord Erskine having pretended a right to the earldom of Mar, Stewart resigned it in his favour; and, at the same time, Mary conferred upon him the title of earl of Murray, with the estate annexed to that dignity, which had been in the possession of the earl of Huntly since the year 1548[g]. From this encroachment upon his domains he concluded that his family was devoted to destruction; and, dreading to be stripped gradually of those possessions which, in reward

[e] Knox, 318.
[f] Crawf. Officers of State, 87, 88.
[g] Crawf. Peer. 359

1562. of their services, the gratitude of the crown had bestowed on himself, or his ancestors, he no longer disguised his intentions, but, in defiance of the queen's proclamation, openly took arms. Instead of yielding those places of strength, which Mary required him to surrender, his followers dispersed or cut in pieces the parties which she despatched to take possession of them[h]; and he himself advancing with a considerable body of men towards Aberdeen, to which place the queen was now returned, filled her small court with consternation. Murray had only a handful of men in whom he could confide[i]. In order to form the appearance of an army, he was obliged to call in the assistance of the neighbouring barons; but, as most of these either favoured Huntly's designs, or stood in awe of his power, from them no cordial or effectual service could be expected.

Oct. 28. With these troops, however, Murray, who could gain nothing by delay, marched briskly towards the enemy. He found them at Corichie, posted to great advantage; he commanded his northern associates instantly to begin the attack; but, on the first motion of the enemy, they treacherously turned their backs; and Huntly's followers, throwing aside their spears, and breaking their ranks, drew their swords, and rushed forward to the pursuit. It was then that Murray gave proof, both of steady courage and of prudent conduct. He stood immovable on a rising ground, with the small but trusty body of his adherents, who, presenting their spears to the enemy, received them with a determined resolution, which they little expected. The Highland broadsword is not a weapon fit to encounter the Scottish spear. In every civil commotion, the superiority of the latter has been evident, and has always decided the contest. On this occasion the irregular attack of Huntly's troops was easily repulsed by Murray's firm battalion. Before they

He is defeated by the earl of Murray.

[h] Knox, 319. [i] Keith, 230.

recovered from the confusion occasioned by this unforeseen resistance, Murray's northern troops, who had fled so shamefully in the beginning of the action, willing to regain their credit with the victorious party, fell upon them, and completed the rout. Huntly himself, who was extremely corpulent, was trodden to death in the pursuit. His sons, sir John and Adam, were taken, and Murray returned in triumph to Aberdeen with his prisoners. 1562.

The trial of men taken in actual rebellion against their sovereign was extremely short. Three days after the battle, sir John Gordon was beheaded at Aberdeen. His brother Adam was pardoned on account of his youth. Lord Gordon, who had been privy to his father's designs, was seized in the south, and upon trial found guilty of treason; but, through the queen's clemency, the punishment was remitted. The first parliament proceeded against this great family with the utmost rigour of law, and reduced their power and fortune to the lowest ebb[k].

[k] This conspiracy of the earl of Huntly is one of the most intricate and mysterious passages in the Scottish history. As it was a transaction purely domestic, and in which the English were little interested, few original papers concerning it have been found in Cecil's Collection, the great storehouse of evidence and information with regard to the affairs of this period.

Buchanan supposes Mary to have formed a design about this time of destroying Murray, and of employing the power of the earl of Huntly for this purpose. But his account of this whole transaction appears to be so void of truth, and even of probability, as to deserve no serious examination. At that time Mary wanted power, and seems to have had no inclination to commit any act of violence upon her brother.

Two other hypotheses have been advanced, in order to explain this matter; but they appear to be equally removed from truth.

I. It cannot well be conceived, that the queen's journey to the north was a scheme concerted by Murray, in order to ruin the earl of Huntly. 1. Huntly had resided at court almost ever since the queen's return. Keith, 198. Append. 175, etc. This was the proper place in which to have seized him. To attack him in Aberdeenshire, the seat of his power, and in the midst of his vassals, was a project equally absurd and hazardous. 2. The queen was not accompanied with a body of troops capable of attempting any thing against Huntly by violence: her train was not more numerous

1562. As the fall of the earl of Huntly is the most important event of this year, it would have been improper to interrupt the narrative by taking notice of lesser transactions, which may now be related with equal propriety.

An interview between Elizabeth and Mary proposed.

In the beginning of summer, Mary, who was desirous of entering into a more intimate correspondence and familiarity with Elizabeth, employed Maitland to desire a personal interview with her, somewhere in the north of England. As this proposal could not be rejected with decency, the time, the place, and the circumstances of the meeting were instantly agreed upon. But Elizabeth was prudent enough not to admit into her kingdom a rival who outshone herself so far in beauty and gracefulness of person; and who excelled so eminently in all the arts of insinuation and address. Under pre-

than was usual in times of greatest tranquillity. Keith, 230. 3. There remain two original letters with regard to this conspiracy; one from Randolph the English resident, and another from Maitland, both directed to Cecil. They talk of Huntly's measures as notoriously treasonable. Randolph mentions his repeated attempts to assassinate Murray, etc. No hint is given of any previous resolution formed by Mary's ministers to ruin Huntly and his family. Had any such design ever existed, it was Randolph's duty to have discovered it; nor would Maitland have laboured to conceal it from the English secretary. Keith, 229. 232.

II. To suppose that the earl of Huntly had laid any plan for seizing the queen and her ministers, seems to be no less improbable. 1. On the queen's arrival in the north, he laboured, in good earnest, to gain her favour, and to obtain a pardon for his son. Knox, 318. 2. He met the queen, first at Aberdeen, and then at Rothemay, whither he would not have ventured to come, had he harboured any such treasonable resolution. Knox, 318. 3. His conduct was irresolute and wavering, like that of a man disconcerted by an unforeseen danger, not like one executing a concerted plan. 4. The most considerable persons of his clan submitted to the queen, and found surety to obey her commands. Keith, 226. Had the earl been previously determined to rise in arms against the queen, or to seize her ministers, it is probable he would have imparted it to his principal followers, nor would they have deserted him in this manner.

For these reasons I have, on the one hand, vindicated the earl of Murray from any deliberate intention of ruining the family of Gordon; and on the other hand, I have imputed the violent conduct of the earl of Huntly to a sudden start of resentment, without charging him with any premeditated purpose of rebellion.

tence of being confined to London, by the attention which she was obliged to give to the civil wars in France, she put off the interview for that season[l], and prevented her subjects from seeing the Scottish queen, the charms of whose appearance and behaviour she envied, and had some reason to dread. 1562.

During this year, the assembly of the church met twice. In both these meetings were exhibited many complaints of the poverty and dependence of the church; and many murmurs against the negligence or avarice of those who had been appointed to collect and to distribute the small fund appropriated for the maintenance of preachers[m]. A petition, craving redress of their grievances, was presented to the queen; but without any effect. There was no reason to expect that Mary would discover any forwardness to grant the requests of such supplicants. As her ministers, though all most zealous protestants, were themselves growing rich on the inheritance of the church, they were equally regardless of the indigence and demands of their brethren. June 2. Decem. 25.

1563. Negotiations with regard to the queen's marriage.

Mary had now continued above two years in a state of widowhood. Her gentle administration had secured the hearts of her subjects, who were impatient for her marriage, and wished the crown to descend in the right line from their ancient monarchs. She herself was the most amiable woman of the age; and the fame of her accomplishments, together with the favourable circumstance of her having one kingdom already in her possession, and the prospect of mounting the throne of another, prompted many different princes to solicit an alliance so illustrious. Scotland, by its situation, threw so much weight and power into whatever scale it fell, that all Europe waited with solicitude for Mary's determination; and no event in that age excited stronger political fears and jealousies; none interested more

[l] Keith, 216.

[m] Knox, 311. 323.

1563. deeply the passions of several princes, or gave rise to more contradictory intrigues, than the marriage of the Scottish queen.

She is solicited by different princes.

The princes of the house of Austria remembered what vast projects the French had founded on their former alliance with the queen of Scots; and though the unexpected death, first of Henry and then of Francis, had hindered these from taking effect, yet if Mary should again make choice of a husband, among the French princes, the same designs might be revived and prosecuted with better success.

By the archduke Charles.

In order to prevent this, the emperor entered into a negotiation with the cardinal of Lorrain, who had proposed to marry the Scottish queen to the archduke Charles, Ferdinand's third son. The matter was communicated to Mary; and Melvil, who, at that time, attended the elector palatine, was commanded to inquire into the character and situation of the archduke[n].

By don Carlos of Spain.

Philip the second, though no less apprehensive of Mary's falling once more into the hands of France, envied his uncle Ferdinand the acquisition of so important a prize; and, as his own insatiable ambition grasped at all the kingdoms of Europe, he employed his ambassador at the French court to solicit the princes of Lorrain in behalf of his son don Carlos, at that time the heir of all the extensive dominions which belonged to the Spanish monarchy[o].

By the duke of Anjou.

Catherine of Medicis, on the other hand, dreaded the marriage of the Scottish queen with any of the Austrian princes, which would have added so much to the power and pretensions of that ambitious race. Her jealousy of the princes of Lorrain rendered her no less averse from an alliance which, by securing to them the protection of the emperor or king of Spain, would give new boldness to their enterprising spirit, and enable

[n] Melv. 63. 65. Keith, 239. See Append. No. VII.
[o] Castaln. 461. Addit. a Labour. 501. 503.

them to set the power of the crown, which they already rivalled, at open defiance: and, as she was afraid that these splendid proposals of the Austrian family would dazzle the young queen, she instantly despatched Castelnau into Scotland, to offer her in marriage the duke of Anjou, the brother of her former husband, who soon after mounted the throne of France[p]. 1563.

Mary's deliberations concerning it.

Mary attentively weighed the pretensions of so many rivals. The archduke had little to recommend him but his high birth. The example of Henry the eighth was a warning against contracting a marriage with the brother of her former husband; and she could not bear the thoughts of appearing in France, in a rank inferior to that which she had formerly held in that kingdom. She listened, therefore, with partiality, to the Spanish propositions, and the prospect of such vast power and dominions flattered the ambition of a young and aspiring princess.

Three several circumstances, however, concurred to divert Mary from any thoughts of a foreign alliance.

The first of these was the murder of her uncle, the duke of Guise. The violence and ambition of that nobleman had involved his country in a civil war; which was conducted with furious animosity and various success. At last the duke laid siege to Orleans, the bulwark of the protestant cause; and he had reduced that city to the last extremity, when he was assassinated by the frantic zeal of Poltrot. This blow proved fatal to the queen of Scots. The young duke was a minor; and the cardinal of Lorrain, though subtle and intriguing, wanted that undaunted and enterprising courage, which rendered the ambition of his brother so formidable. Catherine, instead of encouraging the ambition or furthering the pretensions of her daughter-in-law, took pleasure in mortifying the one, and in disappointing the other. In this situation, and without such

[p] Casteln. 461.

1563. a protector, it became necessary for Mary to contract her views, and to proceed with caution; and, whatever prospect of advantage might allure her, she could venture upon no dangerous or doubtful measure.

The views of Elizabeth.

The second circumstance which weighed with Mary, was the opinion of the queen of England. The marriage of the Scottish queen interested Elizabeth more deeply than any other prince; and she observed all her deliberations concerning it with the most anxious attention. She herself seems early to have formed a resolution of living unmarried, and she discovered no small inclination to impose the same law on the queen of Scots. She had already experienced what use might be made of Mary's power and pretensions to invade her dominions, and to disturb her possession of the crown. The death of Francis the second had happily delivered her from this danger, which she determined to guard against for the future with the utmost care. As the restless ambition of the Austrian princes, the avowed and bigoted patrons of the catholic superstition, made her, in a particular manner, dread their neighbourhood, she instructed Randolph to remonstrate, in the strongest terms, against any alliance with them; and to acquaint Mary, that, as she herself would consider such a match to be a breach of the personal friendship in which they were so happily united; so the English nation would regard it as the dissolution of that confederacy which now subsisted between the two kingdoms; that, in order to preserve their own religion and liberties, they would, in all probability, take some step prejudicial to her right of succession, which, as she well knew, they neither wanted power nor pretences to invalidate and set aside. This threatening was accompanied with a promise, but expressed in very ambiguous terms, that if Mary's choice of a husband should prove agreeable to the English nation, Elizabeth would appoint proper persons to examine her title to the succession, and, if well founded, command it to be pub-

licly recognised. She observed, however, a mysterious silence concerning the person on whom she wished the choice of the Scottish queen to fall. The revealing of this secret was reserved for some future negotiation. Meanwhile, she threw out some obscure hints, that a native of Britain, or one not of princely rank, would be her safest and most inoffensive choice[q]. An advice, offered with such an air of superiority and command, mortified, no doubt, the pride of the Scottish queen. But, under her present circumstances, she was obliged to bear this indignity. Destitute of all foreign assistance, and intent upon the English succession, the great object of her wishes and ambition, it became necessary to court a rival, whom, without manifest imprudence, she could not venture to offend. 1563.

The inclination of her own subjects was another, and not the least considerable circumstance, which called for Mary's attention at this conjuncture. They had been taught, by the fatal experiment of her former marriage, to dread an union with any great prince, whose power might be employed to oppress their religion and liberties. They trembled at the thoughts of a match with a foreigner; and, if the crown should be strengthened by new dominions or alliances, they foresaw that the royal prerogative would soon be stretched beyond its ancient and legal limits. Their eagerness to prevent this could hardly fail of throwing them once more into the arms of England. Elizabeth would be ready to afford them her aid towards obstructing a measure so disagreeable to herself. It was easy for them to seize the person of the sovereign. By the assistance of the English fleet, they could render it difficult for any foreign prince to land in Scotland. The Roman catholics, now an inconsiderable party in the kingdom, and dispirited by the loss of the earl of Huntly, could give no obstruction to their designs. To what violent extremes The sentiments of her own subjects.

[q] Keith, 242. 245.

1563. the national abhorrence of a foreign yoke might have been carried, is manifest from what she had already seen and experienced.

For these reasons Mary laid aside, at that time, all thoughts of foreign alliance, and seemed willing to sacrifice her own ambition, in order to remove the jealousies of Elizabeth, and to quiet the fears of her own subjects.

A parliament held, May 26.

The parliament met this year, for the first time since the queen's return into Scotland. Mary's administration had hitherto been extremely popular. Her ministers possessed the confidence of the nation; and, by consequence, the proceedings of that assembly were conducted with perfect unanimity. The grant of the earldom of Murray to the prior of St. Andrew's was confirmed: the earl of Huntly, and several of his vassals and dependents, were attainted: the attainder against Kirkaldy of Grange, and some of his accomplices in the murder of cardinal Beatoun, was reversed[r]: the act of oblivion, mentioned in the treaty of Edinburgh, received the royal sanction. But Mary, who had determined never to ratify that treaty, took care that this sanction should not be deemed any acknowledgment of its validity; she granted her consent merely in condescension to the lords in parliament, who, on their knees, besought her to allay the jealousies and apprehensions of her subjects by such a gracious law[s].

Nothing determined with regard to religion;

No attempt was made, in this parliament, to procure the queen's assent to the laws establishing the protestant religion. Her ministers, though zealous protestants themselves, were aware that this could not be urged without manifest danger and imprudence. She had consented, through their influence, to tolerate and protect the reformed doctrine. They had even prevailed on her to imprison and prosecute the archbishop of St. Andrew's, and prior of Whithorn, for celebrating mass

[r] Knox, 330. [s] Parl. 9. Q. Mary, c. 67. Spotsw. 188.

contrary to her proclamation[t]. Mary, however, was still passionately devoted to the Romish church; and though, from political motives, she had granted a temporary protection of opinions which she disapproved, there were no grounds to hope that she would agree to establish them for perpetuity. The moderation of those who professed it, was the best method for reconciling the queen to the protestant religion. Time might abate her bigotry. Her prejudices might wear off gradually, and at last she might yield to the wishes of her people, what their importunity or their violence could never have extorted. Many laws of importance were to be proposed in parliament; and to defeat all these, by such a fruitless and ill-timed application to the queen, would have been equally injurious to individuals and detrimental to the public. 1563.

The zeal of the protestant clergy was deaf to all these considerations of prudence or policy. Eager and impatient, it brooked no delay: severe and inflexible, it would condescend to no compliances. The leading men of that order insisted, that this opportunity of establishing religion by law was not to be neglected. They pronounced the moderation of the courtiers, apostacy; and their endeavours to gain the queen, they reckoned criminal and servile. Knox solemnly renounced the friendship of the earl of Murray, as a man devoted to Mary, and so blindly zealous for her service, as to become regardless of those objects which he had hitherto esteemed most sacred. This rupture, which is a strong proof of Murray's sincere attachment to the queen at that period, continued above a year and an half[u]. which offends the clergy,

The preachers being disappointed by the men in whom they placed the greatest confidence, gave vent to their indignation in their pulpits. These echoed more loudly than ever with declamations against idolatry; with dismal presages concerning the queen's marriage

[t] Keith, 239.

[u] Knox, 331.

1563. with a foreigner; and with bitter reproaches against those who, from interested motives, had deserted that cause which they once reckoned it their honour to support. The people, inflamed by such vehement declamations, which were dictated by a zeal more sincere than prudent, proceeded to rash and unjustifiable acts of violence. During the queen's absence, on a progress into the west, mass continued to be celebrated in her chapel at Holyrood house. The multitude of those who openly resorted thither, gave great offence to the citizens of Edinburgh, who, being free from the restraint which the royal presence imposed, assembled in a riotous manner, interrupted the service, and filled such as were present with the utmost consternation. Two of the ringleaders in this tumult were seized, and a day appointed for their trial[x].

and occasions a tumult among the people.

August.

Knox tried on that account, but acquitted. October 8.

Knox, who deemed the zeal of these persons laudable, and their conduct meritorious, considered them as sufferers in a good cause; and in order to screen them from danger, he issued circular letters, requiring all who professed the true religion, or were concerned for the preservation of it, to assemble at Edinburgh, on the day of trial, that by their presence they might comfort and assist their distressed brethren[y]. One of these letters fell into the queen's hands. To assemble the subjects without the authority of the sovereign, was construed to be treason, and a resolution was taken to prosecute Knox for that crime, before the privy council. Happily for him, his judges were not only zealous protestants, but the very men who, during the late commotions, had openly resisted and set at defiance the queen's authority. It was under precedents drawn from their own conduct that Knox endeavoured to shelter himself. Nor would it have been an easy matter for these counsellors to have found out a distinction, by which they could censure him without condemning

Dec. 15.

[x] Knox, 335.

[y] Ibid. 336.

themselves. After a long hearing, to the astonishment of Lethington and the other courtiers[z], he was unanimously acquitted. Sinclair, bishop of Ross, and president of the court of session, a zealous papist, heartily concurred with the other counsellors in this decision[a]; a remarkable fact, which shows the unsettled state of government in that age; the low condition to which regal authority was then sunk; and the impunity with which subjects might invade those rights of the crown which are now held sacred. 1563.

1564. Negotiations with regard to the queen's marriage.

The marriage of the Scottish queen continued still to be the object of attention and intrigue. Though Elizabeth, even while she wished to direct Mary, treated her with a disgustful reserve; though she kept her, without necessity, in a state of suspense; and hinted often at the person whom she destined to be her husband, without directly mentioning his name; yet Mary framed all her actions to express such a prudent respect for the English queen, that foreign princes began to imagine she had given herself up implicitly to her direction[b]. The prospect of this union alarmed Catherine of Medicis. Though Catherine had taken pleasure all along in doing ill offices to the queen of Scots; though, soon after the duke of Guise's death, she had put upon her a most mortifying indignity, by stopping the payment of her dowry, by depriving her subject, the duke of Chatelherault, of his pension, and by bestowing the command of the Scottish guards on a Frenchman[c]; she resolved, however, to prevent this dangerous conjunction of the British queens. For this purpose she now employed all her art to appease Mary[d], to whom she had given so many causes of offence. The arrears of her dowry were instantly paid; more punctual remittances were promised for the future; and

[z] Calderw. Manuscript Hist. i. 832.
[a] Knox, 343.
[b] Keith, 248.
[c] Ibid. 244.
[d] See Append. No. VIII.

1564. offers made, not only to restore but to extend the privileges of the Scottish nation in France. It was easy for Mary to penetrate into the motives of this sudden change; she well knew the character of her mother-in-law, and laid little stress upon professions of friendship, which came from a princess of such a false and unfeeling heart.

The negotiation with England, relative to the marriage, suffered no interruption from this application of the French queen. As Mary, in compliance with the wishes of her subjects, and pressed by the strongest motives of interest, determined speedily to marry, Elizabeth was obliged to break that unaccountable silence which she had hitherto affected. The secret was disclosed, and her favourite lord Robert Dudley, afterwards earl of Leicester, was declared to be the happy man whom she had chosen to be the husband of a queen courted by so many princes[e].

March. Elizabeth recommends Leicester to her for a husband.

Elizabeth's wisdom and penetration were remarkable in the choice of her ministers; in distinguishing her favourites, those great qualities were less conspicuous. She was influenced in two cases so opposite, by merit of very different kinds. Their capacity for business, their knowledge, their prudence, were the talents to which alone she attended in choosing her ministers; whereas beauty and gracefulness of person, polished manners, and courtly address, were the accomplishments on which she bestowed her favour. She acted in the one case with the wisdom of a queen, in the other she discovered the weakness of a woman. To this Leicester owed his grandeur. Though remarkable neither for eminence in virtue, nor superiority of abilities, the queen's partiality distinguished him on every occasion. She raised him to the highest honours, she bestowed on him the most important employments, and manifested

[e] Keith, 251.

an affection so disproportionate to his merit, that, in the opinion of that age, it could be accounted for only by the power of planetary influence[f]. 1564.

Mary offended at this.

The high spirit of the Scottish queen could not well bear the first overture of a match with a subject. Her own rank, the splendour of her former marriage, and the solicitations at this time of so many powerful princes, crowded into her thoughts, and made her sensibly feel how humbling and disrespectful Elizabeth's proposal was. She dissembled, however, with the English resident; and, though she declared, in strong terms, what a degradation she would deem this alliance, which brought along with it no advantage that could justify such neglect of her own dignity, she mentioned the earl of Leicester, notwithstanding, in terms full of respect[g].

Elizabeth's views in recommending him.

Elizabeth, we may presume, did not wish that the proposal should be received in any other manner. After the extraordinary marks she had given of her own attachment to Leicester, and while he was still in the very height of favour, it is not probable she could think seriously of bestowing him upon another. It was not her aim to persuade, but only to amuse Mary[h]. Almost three years were elapsed since her return into Scotland; and, though solicited by her subjects, and courted by the greatest princes in Europe, she had hitherto been prevented from marrying, chiefly by the artifices of Elizabeth. If at this time the English queen could have engaged Mary to listen to her proposal in favour of Leicester, her power over this creature of her own would have enabled her to protract the negotiation at pleasure; and, by keeping her rival unmarried, she would have rendered the prospect of her succession less acceptable to the English.

Leicester's own situation was extremely delicate and embarrassing. To gain possession of the most amiable woman of the age, to carry away this prize from so

[f] Camden, 549. [g] Keith, 252. [h] Melv. 104, 105.

1564. many contending princes, to mount the throne of an ancient kingdom, might have flattered the ambition of a subject much more considerable than him. He saw all these advantages, no doubt; and, in secret, they made their full impression on him. But, without offending Elizabeth, he durst not venture on the most distant discovery of his sentiments, or take any step towards facilitating his acquisition of objects so worthy of desire.

On the other hand, Elizabeth's partiality towards him, which she was at no pains to conceal[i], might inspire him with hopes of attaining the supreme rank in a kingdom more illustrious than Scotland. Elizabeth had often declared that nothing but her resolution to lead a single life, and his being born her own subject, would have hindered her from choosing the earl of Leicester for a husband. Such considerations of prudence are, however, often surmounted by love; and Leicester might flatter himself, that the violence of her affection would, at length, triumph both over the maxims of policy and the scruples of pride. These hopes induced him, now and then, to conclude the proposal of his marriage with the Scottish queen to be a project for his destruction; and he imputed it to the malice of Cecil, who, under the specious pretence of doing him honour, intended to ruin him in the good opinion both of Elizabeth and Mary[k].

A treaty of marriage, proposed by one queen, who dreaded its success; listened to by another, who was secretly determined against it; and scarcely desired by the man himself, whose interest and reputation it was calculated, in appearance, to promote; could not, under so many unfavourable circumstances, be brought to a fortunate issue. Both Elizabeth and Mary continued, however, to act with equal dissimulation. The former, notwithstanding her fears of losing Leicester, solicited warmly in his behalf. The latter, though she began

[i] Melv. 93, 94. [k] Ibid. 101.

about this time to cast her eyes upon another subject of England, did not at once venture finally to reject Elizabeth's favourite. 1564.

Mary entertains thoughts of marrying lord Darnly.

The person towards whom Mary began to turn her thoughts, was Henry Stewart lord Darnly, eldest son of the earl of Lennox. That nobleman, having been driven out of Scotland, under the regency of the duke of Chatelherault, had lived in banishment for twenty years. His wife, lady Margaret Douglas, was Mary's most dangerous rival in her claim upon the English succession. She was the daughter of Margaret, the eldest sister of Henry the eighth, by the earl of Angus, whom that queen married after the death of her husband, James the fourth. In that age, the right and order of succession was not settled with the same accuracy as at present. Time, and the decision of almost every case that can possibly happen, have at last introduced certainty into a matter, which naturally is subject to all the variety arising from the caprice of lawyers, guided by obscure and often imaginary analogies. The countess of Lennox, though born of a second marriage, was one degree nearer the royal blood of England than Mary. She was the daughter, Mary only the granddaughter, of Margaret. This was not the only advantage over Mary which the countess of Lennox enjoyed. She was born in England, and, by a maxim of law in that country, with regard to private inheritances, "whoever is not born in England, or at least of parents who, at the time of his birth, were in the obedience of the king of England, cannot enjoy any inheritance in the kingdom[1]." This maxim, Hales, an English lawyer, produced in a treatise which he published at this time, and endeavoured to apply it to the right of succession to the crown. In a private cause these pretexts might have given rise to a long and doubtful litigation; where a crown was at stake, such nice disputes and subtilties

[1] Carte, Hist. of Eng. vol. iii. 422.

1564. were to be avoided with the utmost care. If Darnly should happen to contract an alliance with any of the powerful families in England, or should publicly profess the protestant religion, these plausible and popular topics might be so urged, as to prove fatal to the pretensions of a foreigner and of a papist.

Mary was aware of all this; and, in order to prevent any danger from that quarter, had early endeavoured to cultivate a friendly correspondence with the family of Lennox. In the year one thousand five hundred and sixty-two[m], both the earl and the lady Margaret were taken into custody by Elizabeth's orders, on account of their holding a secret correspondence with the Scottish queen.

Elizabeth secretly pleased with this.

From the time that Mary became sensible of the difficulties which would attend her marrying a foreign prince, she entered into a still closer connexion with the earl of Lennox[n], and invited him to return into Scotland. This she endeavoured to conceal from Elizabeth; but a transaction of so much importance did not escape the notice of that discerning princess. She observed, but did not interrupt it. Nothing could fall in more perfectly with her views concerning Scottish affairs. She was pleased to see the pride of the Scottish queen stoop at last to the thoughts of taking a subject to her bed. Darnly was in no situation to excite her jealousy or her fears. His father's estate lay in England, and, by means of this pledge, she hoped to keep the negotiation entirely in her own hands, to play the same game of artifice and delay, which she had planned out, if her recommendation of Leicester had been more favourably received.

As, before the union of the two crowns, no subject of one kingdom could pass into the other without the permission of both sovereigns; no sooner did Lennox, under pretence of prosecuting his wife's claim upon the

[m] Camd. 389. [n] Ibid. 396.

earldom of Angus, apply to Elizabeth for her license to go into Scotland, than he obtained it. Together with it, she gave him letters, warmly recommending his person and cause to Mary's friendship and protection[o]. But, at the same time, as it was her manner to involve all her transactions with regard to Scotland in some degree of perplexity and contradiction, she warned Mary, that this indulgence of Lennox might prove fatal to herself, as his return could not fail of reviving the ancient animosity between him and the house of Hamilton. 1564.

This admonition gave umbrage to Mary, and drew from her an angry reply, which occasioned for some time a total interruption of all correspondence between the two queens[p]. Mary was not a little alarmed at this; she both dreaded the effects of Elizabeth's resentment, and felt sensibly the disadvantage of being excluded from a free intercourse with England, where her ambassadors had all along carried on, with some success, secret negotiations, which increased the number of her partisans, and paved her way towards the throne. In order to remove the causes of the present difficulty, Melvil was sent express to the court of England. He found it no difficult matter to bring about a reconcilement; and soon reestablished the appearance, but not the confidence of friendship, which was all that had subsisted for some time between the two queens.

During this negotiation, Elizabeth's professions of love to Mary, and Melvil's replies in the name of his mistress, were made in the language of the warmest and most cordial friendship. But what Melvil truly observes with respect to Elizabeth, may be extended, without injustice, to both queens. "There was neither plaindealing, nor upright meaning, but great dissimulation, envy, and fear[q]."

Lennox arrives in Scotland.

Lennox, however, in consequence of the license

[o] Keith, 255. 268. [p] Ibid. 253. Melv. 83. [q] Melv. 104.

1564. which he had obtained, set out for Scotland, and was received by the queen, not only with the respect due to a nobleman so nearly allied to the royal family, but treated with a distinguished familiarity, which could not fail of inspiring him with more elevated hopes. The rumour of his son's marriage to the queen began to spread over the kingdom; and the eyes of all Scotland were turned upon him, as the father of their future master. The duke of Chatelherault was the first to take the alarm. He considered Lennox as the ancient and hereditary enemy of the house of Hamilton; and, in his grandeur, saw the ruin of himself and his friends. But the queen interposed her authority to prevent any violent rupture, and employed all her influence to bring about an accommodation of the differences[r].

The powerful family of Douglas no less dreaded Lennox's return, from an apprehension that he would wrest the earldom of Angus out of their hands. But the queen, who well knew how dangerous it would be to irritate Morton, and other great men of that name, prevailed on Lennox to purchase their friendship by allowing his lady's claim upon the earldom of Angus to drop[s].

December. After these preliminary steps, Mary ventured to call a meeting of parliament. The act of forfeiture passed against Lennox in the year one thousand five hundred and forty-five was repealed, and he was publicly restored to the honours and estate of his ancestors[t].

June 25. Dec. 25. The clergy suspicious of the queen's zeal for popery.

The ecclesiastical transactions of this year were not considerable. In the assemblies of the church, the same complaints of the increase of idolatry, the same representations concerning the poverty of the clergy, were renewed. The reply which the queen made to these, and her promises of redress, were more satisfying to the protestants than any they had hitherto obtained[u].

[r] Keith, 259.
[s] Ibid. 268. note (b).
[t] See Append. No. IX.
[u] Keith, 533. 539.

But, notwithstanding her declarations in their favour, they could not help harbouring many suspicions concerning Mary's designs against their religion. She had never once consented to hear any preacher of the reformed doctrine. She had abated nothing of her bigoted attachment to the Romish faith. The genius of that superstition, averse at all times from toleration, was in that age fierce and unrelenting. Mary had given her friends on the continent repeated assurances of her resolution to reestablish the catholic church[x]. She had industriously avoided every opportunity of ratifying the acts of parliament, one thousand five hundred and sixty, in favour of the reformation. Even the protection which, ever since her return, she had afforded the protestant religion, was merely temporary, and declared, by her own proclamation, to be of force only "till she should take some final order in the matter of religion[y]." The vigilant zeal of the preachers was inattentive to none of these circumstances. The coldness of their principal leaders, who were at this time entirely devoted to the court, added to their jealousies and fears. These they uttered to the people, in language which they deemed suitable to the necessity of the times, and which the queen reckoned disrespectful and insolent. In a meeting of the general assembly, Maitland publicly accused Knox of teaching seditious doctrine, concerning the right of subjects to resist those sovereigns who trespass against the duty which they owe to the people. Knox was not backward to justify what he had taught; and upon this general doctrine of resistance, so just in its own nature, but so delicate in its application to particular cases, there ensued a debate, which admirably displays the talents and character of both the disputants; the acuteness of the former, embellished with learning, but prone to subtilty; the vigorous understanding of the latter, delighting in bold sentiments, and superior to all fear[z]. 1564.

[x] Carte, vol. iii. 415. [y] Keith, 504. 510. [z] Knox, 349.

1565. Two years had already been consumed in fruitless negotiations concerning the marriage of the Scottish queen. Mary had full leisure and opportunity to discern the fallacy and deceit of all Elizabeth's proceedings with respect to it. But, in order to set the real intentions of the English queen in a clear light, and to bring her to some explicit declaration of her sentiments, Mary at last intimated to Randolph, that, on condition her right of succession to the crown of England were publicly acknowledged, she was ready to yield to the solicitations of his mistress in behalf of Leicester[a]. Nothing could be farther than this from the mind and intention of Elizabeth. The right of succession was a mystery, which, during her whole reign, her jealousy preserved untouched and unexplained. She had promised, however, when she first began to interest herself in the marriage of the Scottish queen, all that was now demanded. How to retreat with decency, how to elude her former offer, was, on that account, not a little perplexing.

Dissimulation both of Elizabeth and Mary, with regard to her marriage. Feb. 5.

The facility with which lord Darnly obtained permission to visit the court of Scotland, was owing, in all probability, to that embarrassment. From the time of Melvil's embassy, the countess of Lennox had warmly solicited this liberty for her son. Elizabeth was no stranger to the ambitious hopes with which that young nobleman flattered himself. She had received repeated advices from her ministers of the sentiments which Mary began to entertain in his favour[b]. It was entirely in her power to prevent his stirring out of London. In the present conjuncture, however, nothing could be of more advantage to her than Darnly's journey into Scotland. She had already brought one actor upon the stage, who, under her management, had, for a long time, amused the Scottish queen. She hoped, no less absolutely, to direct the motions of Darnly, who was

[a] Keith, 269. [b] Ibid. 259. 261. 266.

likewise her subject; and again to involve Mary in all the tedious intricacies of negotiation. These motives determined Elizabeth and her ministers to yield to the solicitations of the countess of Lennox. 1565.

Darnly arrives in Scotland.

But this deep-laid scheme was in a moment disconcerted. Such unexpected events, as the fancy of poets ascribes to love, are sometimes really produced by that passion. An affair which had been the object of so many political intrigues, and had moved and interested so many princes, was at last decided by the sudden liking of two young persons. Lord Darnly was at this time in the first bloom and vigour of youth. In beauty and gracefulness of person he surpassed all his contemporaries; he excelled eminently in such arts as add ease and elegance to external form, and which enable it not only to dazzle but to please. Mary was of an age, and of a temper, to feel the full power of these accomplishments. The impression which lord Darnly made upon her was visible from the time of their first interview. The whole business of the court was to amuse and entertain this illustrious guest[c]; and in all those scenes of gaiety, Darnly, whose qualifications were altogether superficial and showy, appeared to great advantage. His conquest of the queen's heart became complete; and inclination now prompted her to conclude a marriage, the first thoughts of which had been suggested by considerations merely political.

Gains the queen's heart.

Feb. 13.

Elizabeth contributed, and perhaps not without design, to increase the violence of this passion. Soon after Darnly's arrival in Scotland, she, in return to that message whereby Mary had signified her willingness to accept of Leicester, gave an answer in such terms as plainly unravelled her original intention in that intrigue[d]. She promised, if the Scottish queen's marriage with Leicester should take place, to advance him to great honours; but, with regard to Mary's title

[c] Knox, 369.

[d] Keith, 270. Append. 158.

1565. to the English succession, she would neither suffer any legal inquiry to be made concerning it, nor permit it to be publicly recognised, until she herself should declare her resolution never to marry. Notwithstanding Elizabeth's former promises, Mary had reason to expect every thing contained in this reply; her high spirit, however, could not bear with patience such a cruel discovery of the contempt, the artifice, and mockery, with which, under the veil of friendship, she had been so long abused. She burst into tears of indignation, and expressed, with the utmost bitterness, her sense of that disingenuous craft which had been employed to deceive her[e].

The natural effect of this indignation was to add to the impetuosity with which she pursued her own scheme. Blinded by resentment, as well as by love, she observed no defects in the man whom she had chosen; and began to take the necessary steps towards accomplishing her design, with all the impatience natural to those passions.

As Darnly was so nearly related to the queen, the canon law made it necessary to obtain the pope's dispensation before the celebration of the marriage. For this purpose she early set on foot a negotiation with the court of Rome[f].

The French court approve of the match.

She was busy, at the same time, in procuring the consent of the French king and his mother. Having communicated her design, and the motives which determined her choice, to Castelnau, the French ambassador, she employed him, as the most proper person, to bring his court to fall in with her views. Among other arguments to this purpose, Castelnau mentioned Mary's attachment to Darnly, which he represented to be so violent and deep-rooted, that it was no longer in her own power to break off the match[g]. Nor were the French ministers backward in encouraging Mary's pas-

[e] Keith, Append. 159. [f] Camd. 396. [g] Casteln. 464.

sion. Her pride would never stoop to an alliance with a subject of France. By this choice they were delivered from the apprehension of a match with any of the Austrian princes, as well as the danger of too close an union with Elizabeth; and as Darnly professed the Roman catholic religion, this suited the bigoted schemes which that court adopted. 1565.

While Mary was endeavouring to reconcile foreign courts to a measure which she had so much at heart, Darnly and his father, by their behaviour, were raising up enemies at home to obstruct it. Lennox had, during the former part of his life, discovered no great compass of abilities or political wisdom; and appears to have been a man of a weak understanding and violent passions. Darnly was not superior to his father in understanding, and all his passions were still more impetuous[h]. To these he added that insolence, which the advantage of external form, when accompanied with no quality more valuable, is apt to inspire. Intoxicated with the queen's favour, he began already to assume the haughtiness of a king, and to put on that imperious air, which majesty itself can scarce render tolerable. Darnly disgusts several of the nobles,

It was by the advice, or at least with the consent, of Murray and his party, that Lennox had been invited into Scotland[i]: and yet, no sooner did he acquire a firm footing in that kingdom, than he began to enter into secret cabals with those noblemen who were known to be avowed enemies to Murray, and, with regard to religion, to be either neutrals, or favourers of popery[k]. Darnly, still more imprudent, allowed some rash expressions concerning those favours which the queen's bounty had conferred upon Murray to escape him[l]. particularly Murray.

But, above all these, the familiarity which Darnly cultivated with David Rizio, contributed to increase the suspicion and disgust of the nobles.

[h] Keith, 272, 273.
[k] Keith, 272.
[i] Knox, 367. Keith, 274.
[l] Ibid. 274.

1565. The low birth and indigent condition of this man placed him in a station in which he ought naturally to have remained unknown to posterity. But what fortune called him to act and to suffer in Scotland, obliges history to descend from its dignity, and to record his adventures. He was the son of a musician in Turin, and, having accompanied the Piedmontese ambassador into Scotland, gained admission into the queen's family by his skill in music. As his dependent condition had taught him suppleness of spirit and insinuating manners, he quickly crept into the queen's favour, and her French secretary happening to return at that time into his own country, was preferred by her to that office. He now began to make a figure in court, and to appear as a man of consequence. The whole train of suitors and expectants, who have an extreme sagacity in discovering the paths which lead most directly to success, applied to him. His recommendations were observed to have great influence over the queen, and he grew to be considered not only as a favourite, but as a minister. Nor was Rizio careful to abate that envy which always attends such an extraordinary and rapid change of fortune. He studied, on the contrary, to display the whole extent of his favour. He affected to talk often and familiarly with the queen in public. He equalled the greatest and most opulent subjects, in richness of dress, and in the number of his attendants. He discovered, in all his behaviour, that assuming insolence, with which unmerited prosperity inspires an ignoble mind. It was with the utmost indignation that the nobles beheld the power, it was with the utmost difficulty that they tolerated the arrogance, of this unworthy minion. Even in the queen's presence they could not forbear treating him with marks of contempt. Nor was it his exorbitant power alone which exasperated the Scots. They considered him, and not without reason, as a dangerous enemy to the protestant religion, and suspected that he held, for

The rise of Rizio's favour.

this purpose, a secret correspondence with the court of Rome[m]. 1565.

Darnly's connexion with him.

It was Darnly's misfortune to fall under the management of this man, who, by flattery and assiduity, easily gained on his vanity and inexperience. All Rizio's influence with the queen was employed in his behalf, and contributed, without doubt, towards establishing him more firmly in her affections[n]. But whatever benefit Darnly might reap from his patronage, it did not counterbalance the contempt, and even infamy, to which he was exposed, on account of his familiarity with such an upstart.

Though Darnly daily made progress in the queen's affections, she conducted herself, however, with such prudent reserve, as to impose on Randolph, the English resident, a man otherwise shrewd and penetrating. It appears from his letters at this period, that he entertained not the least suspicion of the intrigue which was carrying on; and gave his court repeated assurances, that the Scottish queen had no design of marrying Darnly[o]. In the midst of this security, Mary despatched Maitland to signify her intention to Elizabeth, and to solicit her consent to the marriage with Darnly. This embassy was the first thing which opened the eyes of Randolph.

April 18. Elizabeth declares against the queen's marriage with Darnly.

Elizabeth affected the greatest surprise at this sudden resolution of the Scottish queen, but without reason. The train was laid by herself, and she had no cause to wonder when it took effect. She expressed at the same time her disapprobation of the match, in the strongest terms; and pretended to foresee many dangers and inconveniencies arising from it, to both kingdoms. But this too was mere affectation. Mary had often and plainly declared her resolution to marry. It was impossible she could make any choice more inoffensive. The danger of introducing a foreign interest

[m] Buchan. 340. Melv. 107.
[n] Melv. 111.
[o] Keith, 273, and Append. 159.

1565. into Britain, which Elizabeth had so justly dreaded, was entirely avoided. Darnly, though allied to both crowns, and possessed of lands in both kingdoms, could be formidable to neither. It is evident from all these circumstances, that Elizabeth's apprehensions of danger could not possibly be serious; and that in all her violent declarations against Darnly, there was much more of grimace than of reality[p].

There were not wanting, however, political motives of much weight, to induce that artful princess to put on the appearance of great displeasure. Mary, intimidated by this, might, perhaps, delay her marriage; which Elizabeth desired to obstruct with a weakness that little suited the dignity of her mind and the elevation of her character. Besides, the tranquillity of her own kingdom was the great object of Elizabeth's policy; and, by declaring her dissatisfaction with Mary's conduct, she hoped to alarm that party in Scotland, which was attached to the English interest, and to encourage such of the nobles as secretly disapproved the match, openly to oppose it. The seeds of discord would, by this means, be scattered through that kingdom. Intestine commotions might arise. Amidst these, Mary could form none of those dangerous schemes to which the union of her people might have prompted her. Elizabeth would become the umpire between the Scottish queen and her contending subjects; and England might look on with security, while a storm which she had raised, wasted the only kingdom which could possibly disturb its peace.

May 1. In prosecution of this scheme, she laid before her

[p] Even the historians of that age acknowledge, that the marriage of the Scottish queen with a subject was far from being disagreeable to Elizabeth. Knox, 369. 373. Buchan. 339. Castelnau, who at that time was well acquainted with the intrigues of both the British courts, asserts, upon grounds of great probability, that the match was wholly Elizabeth's own work; Casteln. 462.; and that she rejoiced at the accomplishment of it, appears from the letters of her own ambassadors. Keith, 280. 288.

privy council the message from the Scottish queen, and consulted them with regard to the answer she should return. Their determination, it is easy to conceive, was perfectly conformable to her secret views. They drew up a remonstrance against the intended match, full of the imaginary dangers with which that event threatened the kingdom[q]. Nor did she think it enough to signify her disapprobation of the measure, either by Maitland, Mary's ambassador, or by Randolph, her own resident in Scotland; in order to add more dignity to the farce which she chose to act, she appointed sir Nicholas Throkmorton her ambassador extraordinary. She commanded him to declare, in the strongest terms, her dissatisfaction with the step which Mary proposed to take; and, at the same time, to produce the determination of the privy council as an evidence that the sentiments of the nation were not different from her own. Not long after, she confined the countess of Lennox as a prisoner, first in her own house, and then sent her to the tower[r]. 1565. Sends Throkmorton to obstruct it.

Intelligence of all this reached Scotland before the arrival of the English ambassador. In the first transports of her indignation, Mary resolved no longer to keep any measures with Elizabeth; and sent orders to Maitland, who accompanied Throkmorton, to return instantly to the English court, and, in her name, to declare to Elizabeth that, after having been amused so long to so little purpose; after having been fooled and imposed on so grossly by her artifices; she was now resolved to gratify her own inclination, and to ask no other consent but that of her own subjects, in the choice of an husband. Maitland, with his usual sagacity, foresaw all the effects of such a rash and angry message, and ventured rather to incur the displeasure of his mistress, by disobeying her commands, than to be made the instrument of tearing asunder so violently

[q] Keith, 274. See Append. No. X.

[r] Keith, Append. 161.

1565. the few remaining ties which still linked together the two queens [s].

Mary herself soon became sensible of her errour. She received the English ambassador with respect; justified her own conduct with decency; and, though unalterable in her resolution, she affected a wonderful solicitude to reconcile Elizabeth to the measure; and even pretended, out of complaisance towards her, to put off the consummation of the marriage for some months [t]. It is probable, however, that the want of the pope's dispensation, and the prospect of gaining the consent of her own subjects, were the real motives of this delay.

Murray's aversion to Darnly.

This consent Mary laboured with the utmost industry to obtain. The earl of Murray was the person in the kingdom, whose concurrence was of the greatest importance; but she had reason to fear that it would not be procured without extreme difficulty. From the time of Lennox's return into Scotland, Murray perceived that the queen's affections began gradually to be estranged from him. Darnly, Athol, Rizio, all the court favourites, combined against him. His ambitious spirit could not brook this diminution of his power, which his former services had so little merited. He retired into the country, and gave way to rivals with whom he was unable to contend [u]. The return of the earl of Bothwell, his avowed enemy, who had been accused of a design upon his life, and who had resided for some time in foreign countries, obliged him to attend to his own safety. No entreaty of the queen could persuade him to a reconcilement with that nobleman. He insisted on having him brought to a public trial, and prevailed, by his importunity, to have a day fixed for it. Bothwell durst not appear in opposition to a man, who came to the place of trial attended by five thousand of his followers on horseback. He was once more constrained

[s] Keith, 160. [t] Keith, 278.
[u] Ibid. 272. 274. Append. 159.

to leave the kingdom; but, by the queen's command, the sentence of outlawry, which is incurred by non-appearance, was not pronounced against him[x]. 1565.

Mary, sensible, at the same time, of how much importance it was to gain a subject so powerful, and so popular as the earl of Murray, invited him back to court, and received him with many demonstrations of respect and confidence. At last she desired him to set an example to her other subjects by subscribing a paper, containing a formal approbation of her marriage with Darnly. Murray had many reasons to hesitate, and even to withhold his assent. Darnly had not only undermined his credit with the queen, but discovered, on every occasion, a rooted aversion to his person. By consenting to his elevation to the throne, he would give him such an accession of dignity and power, as no man willingly bestows on an enemy. The unhappy consequences which might follow upon a breach with England, were likewise of considerable weight with Murray. He had always openly preferred a confederacy with England, before the ancient alliance with France. By his means, chiefly, this change in the system of national politics had been brought about. A league with England had been established; and he could not think of sacrificing, to a rash and youthful passion, an alliance of so much utility to the kingdom; and which he and the other nobles were bound, by every obligation, to maintain[y]. Nor was the interest of religion forgotten on this occasion. Mary, though surrounded by protestant counsellors, had found means to hold a dangerous correspondence with foreign catholics. She had even courted the pope's protection, who had sent her a subsidy of eight thousand crowns[z]. Though Murray had hitherto endeavoured to bridle the zeal of the reformed clergy, and to set the queen's conduct in the most favourable light, yet her obstinate adherence to May 8.

[x] Keith, Append. 160. [y] Ibid. 169. [z] Ibid. 295. Melv. 114.

1565. her own religion could not fail of alarming him; and by her resolution to marry a papist, the hope of reclaiming her, by an union with a protestant, was for ever cut off[a]. Each of these considerations had its influence on Murray, and all of them determined him to decline complying, at that time, with the queen's request.

May 14. A convention of the nobles approves of the marriage.

The convention of nobles, which was assembled a few days after, discovered a greater disposition to gratify the queen. Many of them, without hesitation, expressed their approbation of the intended match; but as others were startled at the same dangers which had alarmed Murray, or were influenced by his example to refuse their consent, another convention was appointed at Perth, in order to deliberate more fully concerning this matter[b].

Meanwhile, Mary gave a public evidence of her own inclination, by conferring upon Darnly titles of honour peculiar to the royal family. The opposition she had hitherto met with, and the many contrivances employed to thwart and disappoint her inclination, produced their usual effect on her heart, they confirmed her passion, and increased its violence. The simplicity of that age imputed an affection so excessive to the influence of witchcraft[c]. It was owing, however, to no other charm than the irresistible power of youth and beauty over a young and tender heart. Darnly grew giddy with his prosperity. Flattered by the love of a queen, and the applause of many among her subjects, his natural haughtiness and insolence became insupportable, and he could no longer bear advice, far less contradiction. Lord Ruthven happening to be the first person who informed him that Mary, in order to sooth Elizabeth, had delayed for some time creating him duke of Albany, he, in a phrensy of rage, drew his dagger, and attempted to stab him[d]. It required all Mary's atten-

[a] Keith, Append. 160.
[b] Keith, 283. Knox, 373.
[c] Keith, 283.
[d] Ibid. Append. 160.

tion, to prevent his falling under that contempt to which such behaviour deservedly exposed him. 1565.

Mary's address in gaining her subjects.

In no scene of her life was ever Mary's own address more remarkably displayed. Love sharpened her invention, and made her study every method of gaining her subjects. Many of the nobles she won by her address, and more by her promises. On some she bestowed lands, to others she gave new titles of honour[e]. She even condescended to court the protestant clergy; and having invited three of their superintendents to Stirling, she declared, in strong terms, her resolution to protect their religion, expressed her willingness to be present at a conference upon the points in doctrine, which were disputed between the protestants and papists, and went so far as to show some desire to hear such of their preachers as were most remarkable for their moderation[f]. By these arts the queen gained wonderfully upon the people, who, unless their jealousy be raised by repeated injuries, are always ready to view the actions of their sovereign with an indulgent eye.

On the other hand, Murray and his associates were plainly the dupes of Elizabeth's policy. She talked in so high a strain of her displeasure at the intended match; she treated lady Lennox with so much rigour; she wrote to the Scottish queen in such high terms; she recalled the earl of Lennox and his son in such a peremptory manner, and with such severe denunciations of her vengeance if they should presume to disobey[g]; that all these expressions of aversion fully persuaded them of her sincerity. This belief fortified their scruples with respect to the match, and encouraged them to oppose it. They began with forming among themselves bonds of confederacy and mutual defence; they entered into a secret correspondence with the English resident, in order to secure Elizabeth's as-

[e] Keith, 283. [f] Knox, 373. [g] Keith, 285, 286.

1565. sistance, when it should become needful[h]; they endeavoured to fill the nation with such apprehensions of danger, as might counterbalance the influence of those arts which the queen had employed.

Schemes of Darnly and Murray against each other.

Besides these intrigues, there were secretly carried on, by both parties, dark designs of a more criminal nature, and more suited to the spirit of the age. Darnly, impatient of that opposition, which he imputed wholly to Murray, and resolving, at any rate, to get rid of such a powerful enemy, formed a plot to assassinate him, during the meeting of the convention at Perth. Murray, on his part, despairing of preventing the marriage by any other means, had, together with the duke of Chatelherault and the earl of Argyll, concerted measures for seizing Darnly, and carrying him a prisoner into England.

If either of these conspiracies had taken effect, this convention might have been attended with consequences extremely tragical; but both were rendered abortive, by the vigilance or good fortune of those against whom they were formed. Murray, being warned of his danger by some retainers to the court, who still favoured his interest, avoided the blow by not going to Perth. Mary, receiving intelligence of Murray's enterprise, retired with the utmost expedition, along with Darnly, to the other side of Forth. Conscious, on both sides, of guilt, and inflamed with resentment, it was impossible they could either forget the violence which themselves had meditated, or forgive the injuries intended against them. From that moment all hope of reconcilement was at an end, and their mutual enmity burst out with every symptom of implacable hatred[i].

[h] Keith, 289. 292. 298.

[i] The reality of these two opposite conspiracies has given occasion to many disputes and much contradiction. Some deny that any design was formed against the life of Murray; others call in question the truth of the conspiracy against Darnly. There seem, however, to be plausible reasons for believing that there is some foundation for what has been asserted with

On Mary's return to Edinburgh, she summoned her vassals by proclamation, and solicited them by her let- 1565.

regard to both; though the zeal and credulity of party-writers have added to each many exaggerated circumstances. The following arguments render it probable that some violence was intended against Murray:

I. 1. This is positively asserted by Buchanan, 341. 2. The English resident writes to Cecil, that Murray was assuredly informed that a design was formed of murdering him at Perth, and mentions various circumstances concerning the manner in which the crime was to be committed. If the whole had been a fiction of his own, or of Murray, it is impossible that he could have written in this strain to such a discerning minister. Keith, 287. 3. Murray himself constantly and publicly persisted in affirming that such a design was formed against his life. Keith, App. 108. He was required by the queen to transmit in writing an account of the conspiracy, which he pretended had been formed against his life. This he did accordingly; but, "when it was brought to her majesty by her servants sent for that purpose, it appears *be* her highness and her council, that his purgation in that behalf was not so sufficient as the matter required." Keith, App. 109. He was, therefore, summoned to appear within three days before the queen in Holyrood-house; and, in order to encourage him to do so, a safe-conduct was offered to him. Ibid. Though he had once consented to appear, he afterwards declined to do so. But whoever considers Murray's situation, and the character of those who directed Mary's councils at that time, will hardly deem it a decisive proof of his guilt, that he did not choose to risk his person on such security. 4. The furious passions of Darnly, the fierceness of his resentment, which scrupled at no violence, and the manners of the age, render the imputation of such a crime less improbable.

II. That Murray and his associates had resolved to seize Darnly in his return from Perth, appears with still greater certainty; 1. From the express testimony of Melvil, 112; although Buchanan, p. 341, and Knox, p. 377, affect, without reason, to represent this as an idle rumour. 2. The question was put to Randolph, Whether the governor of Berwick would receive Lennox and his son, if they were delivered at that place. His answer was, "that they would not refuse their own, i. e. their own subjects, in whatsoever sort they came unto us, i. e. whether they returned to England voluntarily, as they had been required, or were brought thither by force." This plainly shows, that some such design was in hand, and Randolph did not discourage it by the answer which he gave. Keith, 290. 3. The precipitation with which the queen retired, and the reason she gave for this sudden flight, are mentioned by Randolph. Keith, 291. 4. A great part of the Scottish nobles, and among these the earls of Argyll and Rothes, who were themselves privy to the design, assert the reality of the conspiracy. Good. vol. ii. 358.

All these circumstances render the truth of both conspiracies probable. But we may observe how far this proof, though drawn from public records, falls short, on both sides, of legal and formal evidence. Buchanan and

1565. ters to repair thither in arms, for the protection of her person against her foreign and domestic enemies[k]. She was obeyed with all the promptness and alacrity with which subjects run to defend a mild and popular administration. This popularity, however, she owed, in a great measure, to Murray, who had directed her administration with great prudence. But the crime of opposing her marriage obliterated the memory of his former services; and Mary, impatient of contradiction, and apt to consider those who disputed her will, as enemies to her person, determined to let him feel the whole weight of her vengeance. For this purpose she summoned him to appear before her upon a short warning, to answer to such things as should be laid to his charge[l]. At this very time, Murray and the lords who adhered to him, were assembled at Stirling, to deliberate what course they should hold in such a difficult conjuncture. But the current of popular favour ran so

Mary summons her vassals to take arms against Murray.

Randolph, in their accounts of the conspiracy against Murray, differ widely in almost every circumstance. The accounts of the attempt upon Darnly are not more consistent. Melvil alleges, that the design of the conspirators was to carry Darnly a prisoner into England; the proposal made to Randolph agrees with this. Randolph says, that they intended to carry the queen to St. Andrew's, and Darnly to Castle Campbell. The lords, in their declaration, affirm the design of the conspirators to have been to murder Darnly and his father, to confine the queen in Lochleven during life, and to usurp the government. To believe implicitly whatever they find in an ancient paper, is a folly to which, in every age, antiquaries are extremely prone. Ancient papers, however, often contain no more than the slanders of a party, and the lie of the day. The declaration of the nobles referred to, is of this kind; it is plainly rancorous, and written in the very heat of faction. Many things asserted in it, are evidently false or exaggerated. Let Murray and his confederates be as ambitious as we can suppose, they must have had some pretences, and plausible ones too, before they could venture to imprison their sovereign for life, and to seize the reins of government; but, at that time, the queen's conduct had afforded no colourable excuse for proceeding to such extremities. It is likewise remarkable, that in all the proclamations against Murray, of which so many are published in Keith, Appendix, 108, etc. neither the violent attempt upon Darnly, nor that which he is alleged to have formed against the queen herself, are ever once mentioned.

[k] Keith, 298.

[l] Ibid. Append. 108.

strongly against them, and, notwithstanding some fears and jealousies, there prevailed in the nation such a general disposition to gratify the queen in a matter which so nearly concerned her, that, without coming to any other conclusion than to implore the queen of England's protection, they put an end to their ineffectual consultations, and returned every man to his own house. 1565.

Together with this discovery of the weakness of her enemies, the confluence of her subjects from all corners of the kingdom afforded Mary an agreeable proof of her own strength. While the queen was in this prosperous situation, she determined to bring to a period an affair which had so long engrossed her heart and occupied her attention. On the twenty-ninth of July, she married lord Darnly. The ceremony was performed in the queen's chapel, according to the rites of the Romish church; the pope's bull dispensing with their marriage having been previously obtained[m]. She issued at the same time proclamations, conferring the title of king of Scots upon her husband, and commanding that henceforth all writs at law should run in the joint names of king and queen[n]. Nothing can be a stronger proof of the violence of Mary's love, or the weakness of her councils, than this last step. Whether she had any right to choose a husband without consent of parliament, was, in that age, a matter of some dispute[o]; that she had no right to confer upon him, by her private authority, the title and dignity of king, or by a simple proclamation to raise her husband to be the master of her people, seems to be beyond all doubt. Francis the second, indeed, bore the same title. It was not, however, the gift of the queen, but of the nation; and the consent of parliament was obtained, before he ventured to assume it. Darnly's condition, as a subject, rendered

Celebrates her marriage with Darnly.

[m] Keith, 307.
[n] Anderson, i. 33. See Append. No. XI.
[o] Buchan. 341.

1565. it still more necessary to have the concurrence of the supreme council in his favour. Such a violent and unprecedented stretch of prerogative, as the substituting a proclamation in place of an act of parliament, might have justly alarmed the nation. But at that time the queen possessed so entirely the confidence of her subjects, that, notwithstanding all the clamours of the malecontents, no symptoms of general discontent appeared on that account.

Even amidst that scene of joy which always accompanies successful love, Mary did not suffer the course of her vengeance against the malecontent nobles to be interrupted. Three days after the marriage, Murray was again summoned to court, under the severest penalties, and, upon his non-appearance, the rigour of justice took place, and he was declared an outlaw[p]. At the same time the queen set at liberty lord Gordon, who, ever since his father's insurrection, in the year one thousand five hundred and sixty-two, had been detained a prisoner; she recalled the earl of Sutherland, who, on account of his concern in that conspiracy, had fled into Flanders; and she permitted Bothwell to return again into Scotland. The first and last of these were among the most powerful subjects in the kingdom, and all of them animated with implacable hatred to Murray, whom they deemed the enemy of their families and the author of their own sufferings. This common hatred became the foundation of the strictest union with the queen, and gained them an ascendant over all her councils. Murray himself considered this confederacy with his avowed enemies, as a more certain indication than any measure she had yet taken, of her inexorable resentment.

Marches against

The malecontents had not yet openly taken up arms[q].

[p] Keith, 309, 310.

[q] After their fruitless consultation in Stirling, the lords retired to their own houses. Keith, 304. Murray was still at St. Andrew's on July 22. Keith, 306. By the places of rendezvous, appointed for the inhabitants of

But the queen having ordered her subjects to march against them, they were driven to the last extremity. They found themselves unable to make head against the numerous forces which Mary had assembled; and fled into Argyleshire, in expectation of aid from Elizabeth, to whom they had secretly despatched a messenger, in order to implore her immediate assistance[r]. 1565. Murray and his associates.

Meanwhile, Elizabeth endeavoured to embarrass Mary, by a new declaration of disgust at her conduct. She blamed both her choice of lord Darnly, and the precipitation with which she had concluded the marriage. She required Lennox and Darnly, whom she still called her subjects, to return into England; and, at the same time, she warmly interceded in behalf of Murray, whose behaviour she represented to be not only innocent but laudable. This message, so mortifying to the pride of the queen, and so full of contempt for her husband, was rendered still more insupportable by the petulant and saucy demeanour of Tamworth, the person who delivered it[s]. Mary vindicated her own conduct with warmth, but with great strength of reason; and rejected the intercession in behalf of Murray, not without signs of resentment at Elizabeth's pretending to intermeddle in the internal government of her kingdom[t]. Elizabeth interposes in their favour.

She did not, on that account, intermit in the least the ardour with which she pursued Murray and his adherents[u]. They now appeared openly in arms; and,

the different counties, August 4, it appears that the queen's intention was to march into Fife, the county in which Murray, Rothes, Kirkaldy, and other chiefs of the malecontents, resided. Keith, 310. Their flight into the west, Keith, 312, prevented this expedition, and the former rendezvous was altered. Keith, 310.

[r] Keith, 312. Knox, 380.

[s] Camd. 398.

[t] Keith, Append. 99.

[u] The most considerable persons who joined Murray were, the duke of Chatelherault, the earls of Argyll, Glencairn, Rothes, lord Boyd and Ochiltree; the lairds of Grange, Cunninghamhead, Balcomie, Carmylie, Lawers, Bar, Dreghorn, Pitarrow, Comptroller, and the tutor of Pitcur. Knox, 382.

1565. having received a small supply in money from Elizabeth [x], were endeavouring to raise their followers in the western counties. But Mary's vigilance hindered them from assembling in any considerable body. All her military operations at that time were concerted with wisdom, executed with vigour, and attended with success. In order to encourage her troops, she herself marched along with them, rode with loaded pistols [y], and endured all the fatigues of war with admirable fortitude. Her alacrity inspired her forces with an invincible resolution, which, together with their superiority in number, deterred the malecontents from facing them in the field; but, having artfully passed the queen's army, they marched with great rapidity to Edinburgh, and endeavoured to rouse the inhabitants of that city
August 31. to arms. The queen did not suffer them to remain long unmolested; and, on her approach, they were forced to abandon that place, and retire in confusion towards the western borders [z].

They are obliged to retire into England.

As it was uncertain, for some time, what route they had taken, Mary employed that interval in providing for the security of the counties in the heart of the kingdom. She seized the places of strength which belonged to the rebels; and obliged the considerable barons in those shires which she most suspected, to join in associations for her defence [a]. Having thus left all the country behind her in tranquillity, she, with an army eighteen thousand strong, marched towards Dumfries, where the rebels then were. During their retreat, they had sent letters to the queen, from almost every place where they halted, full of submission, and containing various overtures towards an accommodation. But Mary, who determined not to let slip such a favourable opportunity of crushing the mutinous spirit of her subjects, rejected them with disdain. As she advanced, the malecontents

[x] Knox, 380.
[y] Keith, Append. 164.
[z] Keith, 315.
[a] Ibid. 113.

retired; and, having received no effectual aid from Elizabeth[b], they despaired of any other means of safety, fled into England, and put themselves under the protection of the earl of Bedford, warden of the marches. 1565. Oct. 20.

They meet with unexpected ill treatment from Elizabeth.

Nothing which Bedford's personal friendship for Murray could supply, was wanting to render their retreat agreeable. But Elizabeth herself treated them with extreme neglect. She had fully gained her end, and, by their means, had excited such discord and jealousies among the Scots, as would, in all probability, long distract and weaken Mary's councils. Her business now was to save appearances, and to justify herself to the ministers of France and Spain, who accused her of fomenting the troubles in Scotland by her intrigues. The expedient she contrived for her vindication strongly displays her own character, and the wretched condition of exiles, who are obliged to depend on a foreign prince. Murray, and Hamilton, abbot of Kilwinning, being appointed by the other fugitives to wait on Elizabeth, instead of meeting with that welcome reception which was due to men, who, out of confidence in her promises, and in order to forward her designs, had hazarded their lives and fortunes, could not even obtain the favour of an audience, until they had meanly consented to acknowledge, in the presence of the French and Spanish ambassadors, that Elizabeth had given them no encouragement to take arms. No sooner did they make this declaration, than she astonished them with this reply: "You have declared the truth; I am far from setting an example of rebellion to my own subjects, by countenancing those who rebel against their lawful prince. The treason of which you have been guilty is detestable; and, as traitors, I banish you from my presence[c]." Notwithstanding this scene of farce and of falsehood, so dishonourable to all the persons who acted a part in it, Elizabeth permitted the malecontents peaceably to

[b] See Appendix, Nos. XII. XIII.

[c] Melv. 112.

1565. reside in her dominions, supplied them secretly with money, and renewed her intercession with the Scottish queen in their favour [d].

The advantage she had gained over them did not satisfy Mary; she resolved to follow the blow, and to prevent a party, which she dreaded, from ever recovering any footing in the nation. With this view, she called a meeting of parliament; and, in order that a sentence of forfeiture might be legally pronounced against the banished lords, she summoned them, by public proclamation, to appear before it [e].

Dec. 1. The duke of Chatelherault, on his humble application, obtained a separate pardon; but not without difficulty, as the king violently opposed it. He was obliged, however, to leave the kingdom, and to reside for some time in France [f].

The numerous forces which Mary brought into the field, the vigour with which she acted, and the length of time she kept them in arms, resemble the efforts of a prince with revenues much more considerable than those which she possessed. But armies were then levied and maintained by princes at small charge. The vassal followed his superior, and the superior attended the monarch, at his own expense. Six hundred horsemen, however, and three companies of foot, besides her guards, received regular pay from the queen. This extraordinary charge, together with the disbursements occasioned by her marriage, exhausted a treasury which was far from being rich. In this exigency, many devices were fallen upon for raising money. Fines were levied on the towns of St. Andrew's, Perth, and Dundee, which were suspected of favouring the malecontents. An unusual tax was imposed on the boroughs throughout the kingdom; and a great sum was demanded of the citizens of Edinburgh, by way of loan. This unprecedented exaction alarmed the citizens.

[d] Knox, 389. [e] Keith, 320. [f] Knox, 389.

They had recourse to delays, and started difficulties, in order to evade it. These Mary construed to be acts of avowed disobedience, and instantly committed several of them to prison. But this severity did not subdue the undaunted spirit of liberty which prevailed among the inhabitants. The queen was obliged to mortgage to the city the 'superiority' of the town of Leith, by which she obtained a considerable sum of money[g]. The thirds of ecclesiastical benefices proved another source whence the queen derived some supply. About this time we find the protestant clergy complaining more bitterly than ever of their poverty. The army, it is probable, exhausted a great part of that fund which was appropriated for their maintenance[h]. 1565.

The assemblies of the church were not unconcerned spectators of the commotions of this turbulent year. In the meeting held the twenty-fourth of June, previous to the queen's marriage, several of the malecontent nobles were present, and seem to have had great influence on its decisions. The high strain in which the assembly addressed the queen, can be imputed only to those fears and jealousies with regard to religion, which they endeavoured to infuse into the nation. The assembly complained, with some bitterness, of the stop which had been put to the progress of the reformation by the queen's arrival in Scotland; they required not only the total suppression of the popish worship throughout the kingdom, but even in the queen's own chapel; and, besides the legal establishment of the protestant religion, they demanded that Mary herself should publicly embrace it. The queen, after some deliberation, replied, that neither her conscience nor her interest would permit her to take such a step. The former would for ever reproach her for a change which proceeded from no inward conviction; the latter would suffer by the offence which her apostacy must Church affairs.

[g] Knox, 383. 386. [h] Maitl. Hist. of Edinburgh, 27.

1566. give to the king of France, and her other allies on the continent[i].

It is remarkable, that the prosperous situation of the queen's affairs during this year, began to work some change in favour of her religion. The earls of Lennox, Athol, and Cassils, openly attended mass; she herself afforded the catholics a more avowed protection than formerly; and, by her permission, some of the ancient monks ventured to preach publicly to the people[k].

[i] Knox, 374. 376.

[k] Ibid. 389, 390.

THE

# HISTORY OF SCOTLAND.

## THE FOURTH BOOK.

AS the day appointed for the meeting of parliament approached, Mary and her ministers were employed in deliberating concerning the course which it was most proper to hold with regard to the exiled nobles. Many motives prompted her to set no bounds to the rigour of justice. The malecontents had laboured to defeat a scheme, which her interest conspired with her passions in rendering dear to her; they were the leaders of a party, whose friendship she had been obliged to court, while she held their principles in abhorrence; and they were firmly attached to a rival, whom she had good reason both to fear and to hate. 1566. Mary's deliberations concerning the exiled nobles.

But, on the other hand, several weighty considerations might be urged. The noblemen, whose fate was in suspense, were among the most powerful subjects in the kingdom; their wealth great, their connexions extensive, and their adherents numerous. They were now at mercy, the objects of compassion, and suing for pardon with the most humble submission.

In those circumstances, an act of clemency would exalt the queen's character, and appear no less splendid among foreigners than acceptable to her own subjects. Mary herself, though highly incensed, was not inexorable; but the king's rage was implacable and unrelenting. They were solicited in behalf of the fugitives from various quarters. Morton, Ruthven, Maitland, and all who had been members of the congregation,

1566. were not forgetful of their ancient union with Murray and his fellow-sufferers; nor neglectful of their safety, which they deemed of great importance to the kingdom. Melvil, who, at that time, possessed the queen's confidence, seconded their solicitations. And Murray, having stooped so low as to court Rizio, that favourite, who was desirous of securing his protection against the king, whose displeasure he had lately incurred, seconded the intercessions of his other friends with the whole of his influence[a]. The interposition of sir Nicholas Throkmorton, who had lately been Elizabeth's ambassador in Scotland, in behalf of the exiles, was of more weight than all these, and attended with more success. Throkmorton, out of enmity to Cecil, had embarked deeply in all the intrigues which were carried on at the English court, in order to undermine the power and credit of that minister. He espoused, for this reason, the cause of the Scottish queen, towards whose title and pretensions the other was known to bear little favour; and ventured, in the present critical juncture, to write a letter to Mary, containing the most salutary advices with regard to her conduct. He recommended the pardoning of the earl of Murray and his associates, as a measure no less prudent than popular. "An action of this nature," says he, "the pure effect of your majesty's generosity, will spread the fame of your lenity and moderation, and engage the English to look towards your accession to the throne, not only without prejudice, but with desire. By the same means, a perfect harmony will be restored among your own subjects, who, if any rupture should happen with England, will serve you with that grateful zeal which your clemency cannot fail of inspiring[b]."

She resolves to treat them with clemency.

These prudent remonstrances of Throkmorton, to which his reputation for wisdom, and known attachment to the queen, added great authority, made a deep im-

[a] Melv. 125. [b] Ibid. 119.

pression on her spirit. Her courtiers cultivated this happy disposition, and prevailed on her, notwithstanding the king's inflexible temper, to sacrifice her own private resentment to the intercession of her subjects and the wishes of her friends[c]. With this view, the parliament, which had been called to meet on the fourth of February, was prorogued to the seventh of April[d]; and in the mean time she was busy in considering the manner and form in which she should extend her favour to the lords who were under disgrace. 1566.

Is diverted from this resolution by the solicitation of France, and her zeal for popery. Feb. 3.

Though Mary discovered on this occasion a mind naturally prone to humanity and capable of forgiving, she wanted firmness, however, to resist the influence which was fatally employed to disappoint the effects of this amiable disposition. About this time, and at no great distance from each other, two envoys arrived from the French king. The former was intrusted with matters of mere ceremony alone; he congratulated the queen on her marriage, and invested the king with the ensigns of the order of St. Michael. The instructions of the latter related to matters of more importance, and produced greater effects[e].

An interview between Charles the ninth, and his sister, the queen of Spain, had been often proposed; and, after many obstacles, arising from the opposition of political interest, was at last appointed at Bayonne. Catherine of Medicis accompanied her son; the duke of Alva attended his mistress. Amidst the scenes of public pomp and pleasure, which seemed to be the sole occupation of both courts, a scheme was formed, and measures concerted, for exterminating the hugonots in France, the protestants in the Low Countries, and for suppressing the reformation throughout all Europe[f]. The active policy of pope Pius the fourth, and the zeal of the cardinal of Lorrain, confirmed and encouraged

[c] Melv. 125.
[d] Good. vol. i. 224.
[e] Keith, 325. Append. 167.
[f] Thuan. lib. 37.

1566. dispositions so suitable to the genius of the Romish religion, and so beneficial to their own order.

It was an account of this holy league which the second French envoy brought to Mary, conjuring her, at the same time, in the name of the king of France and the cardinal of Lorrain, not to restore the leaders of the protestants in her kingdom to power and favour, at the very time when the catholic princes were combined to destroy that sect in all the countries of Europe[s].

Popery is a species of false religion, remarkable for the strong possession it takes of the heart. Contrived by men of deep insight in the human character, and improved by the experience and observation of many successive ages, it arrived at last to a degree of perfection, which no former system of superstition had ever attained. There is no power in the understanding, and no passion in the heart, to which it does not present objects adapted to rouse and to interest them. Neither the love of pleasure, which at that time prevailed in the court of France, nor the pursuits of ambition which occupied the court of Spain, had secured them from the dominion of bigotry. Laymen and courtiers were agitated with that furious and unmerciful zeal which is commonly considered as peculiar to ecclesiastics; and kings and ministers thought themselves bound in conscience to extirpate the protestant doctrine. Mary herself was deeply tinctured with all the prejudices of popery; a passionate attachment to that superstition is visible in every part of her character, and runs through all the scenes of her life: she was devoted too, with the utmost submission, to the princes of Lorrain, her uncles; and had been accustomed from her infancy to listen to all their advices with a filial respect. The prospect of restoring the public exercise of her own religion, the pleasure of complying with her uncles, and the hopes of gratifying the French monarch, whom the

[s] Melv. 126.

present situation of her affairs in England made it necessary to court, counterbalanced all the prudent considerations which had formerly weighed with her. She instantly joined the confederacy, which had been formed for the destruction of the protestants, and altered the whole plan of her conduct with regard to Murray and his adherents[h]. 1566.

To this fatal resolution may be imputed all the subsequent calamities of Mary's life. Ever since her return into Scotland, fortune may be said to have been propitious to her, rather than adverse; and if her prosperity did not rise to any great height, it had, however, suffered no considerable interruption. A thick and settled cloud of adversity, with few gleams of hope, and none of real enjoyment, covers the remainder of her days.

A parliament called to attaint the exiled nobles;

The effects of the new system which Mary had adopted were soon visible. The time of the prorogation of parliament was shortened; and, by a new proclamation, the twelfth of March was fixed for its meeting[i]. Mary resolved, without any further delay, to proceed to the attainder of the rebel lords, and at the same time determined to take some steps towards the reestablishment of the Romish religion in Scotland[k].

[h] See Appendix, No. XIV.

[i] Keith, 326.

[k] It is not on the authority of Knox alone, that we charge the queen with the design of reestablishing the Roman catholic religion, or at least of exempting the professors of it from the rigour of those penal laws to which they were subjected. He indeed asserts that the altars, which would have been erected in the church of St. Giles, were already provided, 394. 1. Mary herself, in a letter to the archbishop of Glasgow, her ambassador in France, acknowledges, "that in that parliament she intended to have done some good, with respect to restoring the old religion." Keith, 331. 2. The spiritual lords, i.e. the popish ecclesiastics, had, by her authority, resumed their ancient place in that assembly. Ibid. 3. She had joined the confederacy at Bayonne. Keith, Append. 167. 4. She allowed mass to be celebrated in different parts of the kingdom, ibid; and declared that she would have mass free for all men that would hear it. Good. vol. i. 274. 5. Blackwood, who was furnished by the archbishop of Glasgow with ma-

1566. The lords of the articles were chosen, as usual, to prepare the business which was to come before the parliament. They were all persons in whom the queen could confide, and bent to promote her designs. The ruin of Murray and his party seemed now inevitable, and the danger of the reformed church imminent, when an event unexpectedly happened which saved both. If we regard either the barbarity of that age, when such acts of violence were common, or the mean condition of the unhappy person who suffered, the event is little remarkable; but if we reflect upon the circumstances with which it was attended, or upon the consequences which followed it, it appears extremely memorable; and the rise and progress of it deserve to be traced with great care.

and prevented by the conspiracy against Rizio.

Darnly loses the queen's affection.

Darnly's external accomplishments had excited that sudden and violent passion which raised him to the throne. But the qualities of his mind corresponded ill with the beauty of his person. Of a weak understanding, and without experience, conceited, at the same time, of his own abilities, and ascribing his extraordinary success entirely to his distinguished merit; all the queen's favour made no impression on such a temper. All her gentleness could not bridle his imperious and ungovernable spirit. All her attention to place about him persons capable of directing his conduct, could not preserve him from rash and imprudent actions[1]. Fond of all the amusements, and even prone to all the vices of youth, he became, by degrees, careless of her person, and a stranger to her company. To a woman, and a queen, such behaviour was intolerable. The lower she had stooped in order to raise him, his behaviour appeared the more ungenerous, and criminal: and in

terials for writing his 'Martyre de Marie,' affirms, that the queen intended to have procured, in this parliament, if not the reestablishment of the catholic religion, at least something for the ease of catholics. Jebb, vol. ii. 204.

[1] Good. vol. i. 122.

proportion to the strength of her first affection, was the violence with which her disappointed passion now operated. A few months after the marriage their domestic quarrels began to be observed. The extravagance of Darnly's ambition gave rise to these. Instead of being satisfied with a share in the administration of government, or with the title of king, which Mary, by an unprecedented stretch of power, had conferred on him, he demanded the crown matrimonial with most insolent importunity[m]. Though Mary alleged that this gift was beyond her power, and that the authority of parliament must be interposed to bestow it, he wanted either understanding to comprehend, or temper to admit, so just a defence; and often renewed and urged his request. 1566.

Suspects Rizio to be the cause of it.

Rizio, whom the king had at first taken into great confidence, did not humour him in these follies. By this he incurred Henry's displeasure; and as it was impossible for Mary to behave towards her husband with the same affection which distinguished the first and happy days of their union, he imputed this coldness, not to his own behaviour, which had so well merited it, but to the insinuations of Rizio. Mary's own conduct confirmed and strengthened these suspicions. She treated this stranger with a familiarity, and admitted him to a share in her confidence, to which neither his first condition, nor the office she had lately bestowed on him, gave him any title. He was perpetually in her presence, intermeddled in every business, and, together with a few favourites, was the companion of all her private amusements. The haughty spirit of Darnly could not bear the intrusion of such an upstart; and, impatient of any delay, and unrestrained by any

[m] Keith, 329. Id. App. 165, 166. Knox, 404. The eagerness of the king to obtain the crown matrimonial is not surprising, when the extent of the powers which that title conveyed, as explained in the text and note, page 131 of this volume, is taken into consideration.

1566. scruple, he instantly resolved to get rid of him by violence.

Rizio hated by the friends of the exiled nobles.

At the same time another design, which took its rise from very different motives, was carrying on against the life of Rizio. Morton, Ruthven, Lindsay, and Maitland, were the contrivers of it. In all former commotions they had been strictly united with Murray, though in the late insurrection they had deserted him for various reasons. Morton was nearly allied to the family of Angus; and, during the minority of the present earl, acted as chief of the name of Douglas. Ruthven was married to the king's aunt. Lindsay's wife was of the same blood. All these had warmly concurred with the queen in promoting a marriage which did so much honour to the house of Douglas, and naturally expected that, under a king of their own blood, the chief management of affairs would be committed to them. Maitland, with his usual sagacity, foresaw that Murray's opposition to the match would prove dangerous and ineffectual; but whoever ruled at court, he hoped, by his dexterity and talents, to render himself necessary and of importance. They were all equally disappointed in their expectations. The king's headstrong temper rendered him incapable of advice. The queen could not help distrusting men who had been so long and so intimately connected with Murray, and gave herself up entirely to such counsellors as complied with all her inclinations. The return of that nobleman and his followers was, therefore, the only event which could restore Morton, Maitland, and their associates, to their former ascendant over the queen's councils. For this reason, nothing could be more mortifying to them, than the resolution which Mary had taken to treat the exiles with rigour. This they imputed to Rizio, who, after he had engaged to aid Murray with all his interest, was now the most active instrument in promoting the measures which were concerted for the ruin of that nobleman. This officious zeal completed

the disgust which they had conceived against him, and inspired them with thoughts of vengeance, in no wise suitable to justice, to humanity, or to their own dignity. 1566.

They combine in order to murder him.

While they were ruminating upon their scheme, the king communicated his resolution to be avenged of Rizio to lord Ruthven, and implored his assistance, and that of his friends, towards the execution of this design. Nothing could be more acceptable to them than this overture. They saw at once all the advantages they would reap, by the concurrence of such an associate. Their own private revenge upon Rizio would pass, they hoped, for an act of obedience to the king; and they did not despair of obtaining the restoration of their banished friends, and security for the protestant religion, as the price of their compliance with his will.

But as Henry was no less fickle than rash, they hesitated for some time, and determined to advance no further, without taking every possible precaution for their own safety. They did not, in the mean time, suffer the king's resentment to abate. Morton, who was inferior to no man of that intriguing age in all the arts of insinuation and address, took the young prince under his management. He wrought upon his ruling passion, ambition to obtain the matrimonial crown. He represented Rizio's credit with the queen to be the chief and only obstacle to his success in that demand. This minion alone, he said, possessed her confidence; and out of complaisance to him, her subjects, her nobility, and even her husband, were excluded from any participation of her secret councils. Under the appearance of a confidence merely political, he insinuated, and the king perhaps believed, that a familiarity of a quite different and very criminal nature might be concealed[n]. Such various and complicated passions raged

[n] Of all our historians, Buchanan alone avowedly accuses Mary of a criminal love for Rizio, 340. 344. Knox slightly insinuates that such a suspicion was entertained, 391. Melvil, in a conversation with the queen, intimates that he was afraid her familiarity with Rizio might be liable to

1566. in the king's bosom with the utmost fury. He became more impatient than ever of any delay, and even threatened to strike the intended blow with his own hand. At last, preliminaries were settled on both sides, and articles for their mutual security agreed upon. The king engaged to prevent the attainder of the banished lords, to consent to their return into Scotland, to obtain for them an ample remission of all their crimes, and to support, to the utmost of his power, the religion which was now established in the kingdom. On their parts, they undertook to procure the crown matrimonial for Henry, to secure his right of succession, if the queen should die before him without issue, and to defend that right to the uttermost, against whatever person should presume to dispute it; and if either Rizio or any other person should happen to be killed in prosecuting the design, the king promised to acknowledge himself to be the author of the enterprise, and to protect those who were embarked in it[o].

misconstruction, 110. The king himself seems, both by Melvil's account, and by his expostulation with the queen, which Ruthven mentions, to have given credit to these suspicions. Melv. 127. Keith, Append. 123, 124. That the king's suspicions were strong, is likewise evident from the paper published, Append. No. XV. But in opposition to these suspicions, and they are nothing more, we may observe that Raulet, the queen's French secretary, was dismissed from her service, and Rizio advanced to that office, in December, 1564. Keith, 268. It was in consequence of this preferment, that he acquired his great credit with the queen. Melv. 107. Darnly arrived in Scotland about two months after. Keith, 269. The queen immediately conceived for him a passion, which had all the symptoms of genuine and violent love. Rizio aided this passion, and promoted the marriage with all his interest. Melv. 111. During some months after the marriage, the queen's fondness for Darnly continued. She soon proved with child. From this enumeration of circumstances, it appears almost impossible that the queen, unless we suppose her to have been a woman utterly abandoned, could carry on any criminal intrigue with Rizio. But the silence of Randolph, the English resident, a man abundantly ready to mention and to aggravate Mary's faults, and who does not once insinuate that her confidence in Rizio concealed any thing criminal, is in itself a sufficient vindication of her innocence.

[o] Good. vol. i. 266.

Nothing now remained but to concert the plan of operation, to choose the actors, and to assign them their parts in perpetrating this detestable crime. Every circumstance here paints and characterizes the manners and men of that age, and fills us with horrour at both. The place chosen for committing such a deed was the queen's bedchamber. Though Mary was now in the sixth month of her pregnancy, and though Rizio might have been seized elsewhere, without any difficulty, the king pitched upon this place, that he might enjoy the malicious pleasure of reproaching Rizio with his crimes before the queen's face. The earl of Morton, the lord high chancellor of the kingdom, undertook to direct an enterprise, carried on in defiance of all the laws of which he was bound to be the guardian. The lord Ruthven, who had been confined to his bed for three months by a very dangerous distemper, and who was still so feeble that he could hardly walk, or bear the weight of his own armour, was intrusted with the executive part; and while he himself needed to be supported by two men, he came abroad to commit a murder in the presence of his sovereign. 1566. Perpetrate that crime in the queen's palace.

On the ninth of March, Morton entered the court of the palace with an hundred and sixty men; and without noise, or meeting with any resistance, seized all the gates. While the queen was at supper with the countess of Argyll, Rizio, and a few other persons, the king suddenly entered the apartment by a private passage. At his back was Ruthven, clad in complete armour, and with that ghastly and horrid look which long sickness had given him. Three or four of his most trusty accomplices followed him. Such an unusual appearance alarmed those who were present. Rizio instantly apprehended that he was the victim at whom the blow was aimed; and in the utmost consternation retired behind the queen, of whom he laid hold, hoping that the reverence due to her person might prove some protection to him. The conspirators had

1566. proceeded too far to be restrained by any consideration of that kind. Numbers of armed men rushed into the chamber. Ruthven drew his dagger, and with a furious mien and voice commanded Rizio to leave a place of which he was unworthy, and which he had occupied too long. Mary employed tears, and entreaties, and threatenings, to save her favourite. But, notwithstanding all these, he was torn from her by violence, and, before he could be dragged through the next apartment, the rage of his enemies put an end to his life, piercing his body with fifty-six wounds[p].

Athol, Huntly, Bothwell, and other confidents of the queen, who had apartments in the palace, were alarmed at the uproar, and filled with the utmost terrour on their own account; but either no violence was intended against them, or the conspirators durst not shed the noblest blood in the kingdom in the same illegal manner with which they had ventured to take the life of a stranger. Some of them were dismissed, and others made their escape.

They confine the queen herself;

The conspirators, in the mean time, kept possession of the palace, and guarded the queen with the utmost care. A proclamation was published by the king, prohibiting the parliament to meet on the day appointed; and measures were taken by him for preventing any tumult in the city[q]. Murray, Rothes, and their followers, being informed of every step taken against Rizio, arrived at Edinburgh next evening. Murray was graciously received both by the king and queen: by the former, on account of the articles which had been agreed upon between them; by the latter, because she hoped to prevail on him, by gentle treatment, not to take part with the murderers of Rizio. Their power she still felt and dreaded; and the insult which they had offered to her authority, and even to her person, so far exceeded any crime she could impute to

[p] See Appendix, No. XV. [q] Keith, Append. 126.

Murray, that, in hopes of wreaking her vengeance on them, she became extremely willing to be reconciled to him. The obligations, however, which Murray lay under to men who had hazarded their lives on his account, engaged him to labour for their safety. The queen, who scarce had the liberty of choice left, was persuaded to admit Morton and Ruthven into her presence, and to grant them the promise of pardon in whatever terms they should deem necessary for their own security. 1566.

but she gains the king, and makes her escape:

The king, meanwhile, stood astonished at the boldness and success of his own enterprise, and uncertain what course to hold. The queen observed his irresolution, and availed herself of it. She employed all her art to disengage him from his new associates. His consciousness of the insult which he had offered to so illustrious a benefactress inspired him with uncommon facility and complaisance. In spite of all the warnings he received to distrust the queen's artifices, she prevailed on him to dismiss the guards which the conspirators had placed on her person; and that same night he made his escape along with her, attended by three persons only, and retired to Dunbar. The scheme of their flight had been communicated to Huntly and Bothwell, and they were quickly joined by them and several other of the nobles. Bothwell's estate lay in that corner of the kingdom, and his followers crowded to their chief in such numbers, as soon enabled the queen to set the power of the conspirators at defiance. March 11.

is reconciled to the exiled nobles.

This sudden flight filled them with inexpressible consternation. They had obtained a promise of pardon; and it now appeared from the queen's conduct, that nothing more was intended by this promise than to amuse them, and to gain time. They ventured, however, to demand the accomplishment of it; but their messenger was detained a prisoner, and the queen, advancing towards Edinburgh, at the head of eight thousand men, talked in the highest strain of resentment and revenge. She had the address, at the same time,

1566. to separate Murray and his associates from the conspirators against Rizio. Sensible that the union of these parties would form a confederacy which might prove formidable to the crown, she expressed great willingness to receive the former into favour; towards the latter she declared herself inexorable. Murray and his followers were no less willing to accept a pardon on her terms. The conspirators against Rizio, deprived of every resource, and incapable of resistance, fled precipitately to Newcastle, having thus changed situations with Murray and his party, who left that place a few days before.

March 19. The conspirators against Rizio fly into England.

No man so remarkable for wisdom, and even for cunning, as the earl of Morton, ever engaged in a more unfortunate enterprise. Deserted basely by the king, who now denied his knowledge of the conspiracy by public proclamations, and abandoned ungenerously by Murray and his party[r], he was obliged to fly from his native country, to resign the highest office, and to part with one of the most opulent fortunes in the kingdom.

On her return to Edinburgh, Mary began to proceed against those concerned in the murder of Rizio, with the utmost rigour of law. But, in praise of her clemency, it must be observed, that only two persons, and these of no considerable rank, suffered for this crime[s].

In this conspiracy there is one circumstance which, though somewhat detached, deserves not to be forgotten. In the confederacy between the king and the conspirators, the real intention of which was assassination, the preserving of the reformed church is, nevertheless, one of the most considerable articles; and the same men, who were preparing to violate one of the first duties of morality, affected the highest regard for religion. History relates these extravagancies of the

[r] Melv. 130. [s] Keith, Append. 130. 334.

human mind, without pretending to justify, or even to account for them; and, regulating her own opinions by the eternal and immutable laws of justice and of virtue, points out such inconsistencies, as features of the age which she describes, and records them for the instruction of ages to come. 1566.

As this is the second instance of deliberate assassination which has occurred, and as we shall hereafter meet with many other instances of the same crime, the causes which gave rise to a practice so shocking to humanity deserve our particular attention. Resentment is, for obvious and wise reasons, one of the strongest passions in the human mind. The natural demand of this passion is, that the person who feels the injury should himself inflict the vengeance due on that account. The permitting this, however, would have been destructive to society; and punishment would have known no bounds, either in severity or in duration. For this reason, in the very infancy of the social state, the sword was taken out of private hands, and committed to the magistrate. But at first, while laws aimed at restraining, they really strengthened the principle of revenge. The earliest and most simple punishment for crimes was retaliation; the offender forfeited limb for limb, and life for life. The payment of a compensation to the person injured, succeeded to the rigour of the former institution. In both these, the gratification of private revenge was the object of law; and he who suffered the wrong was the only person who had a right to pursue, to exact, or to remit the punishment. While laws allowed such full scope to the revenge of one party, the interests of the other were not neglected. If the evidence of his guilt did not amount to a full proof, or if he reckoned himself to be unjustly accused, the person to whom a crime was imputed had a right to challenge his adversary to single combat, and, on obtaining the victory, vindicated his own honour. In almost every considerable cause, whether civil or crimi- An account of the frequency of assassinations in that age.

1568. nal, arms were appealed to, in defence, either of the innocence, or the property, of the parties. Justice had seldom occasion to use her balance; the sword alone decided every contest. The passion of revenge was nourished by all these means, and grew, by daily indulgence, to be incredibly strong. Mankind became habituated to blood, not only in times of war, but of peace; and from this, as well as other causes, contracted an amazing ferocity of temper and of manners. This ferocity, however, made it necessary to discourage the trial by combat; to abolish the payment of compensations in criminal cases; and to think of some milder method of terminating disputes concerning civil rights. The punishments for crimes became more severe, and the regulations concerning property more fixed; but the princes, whose province it was to inflict the one, and to enforce the other, possessed little power. Great offenders despised their authority; smaller ones sheltered themselves under the jurisdiction of those from whose protection they expected impunity. The administration of justice was extremely feeble and dilatory. An attempt to punish the crimes of a chieftain, or even of his vassals, often excited rebellions and civil wars. To nobles haughty and independent, among whom the causes of discord were many and unavoidable, who were quick in discerning an injury, and impatient to revenge it; who deemed it infamous to submit to an enemy, and cowardly to forgive him; who considered the right of punishing those who had injured them, as a privilege of their order and a mark of independence; such slow proceedings were extremely unsatisfactory. The blood of their adversary was, in their opinion, the only thing which could wash away an affront; where that was not shed, their revenge was disappointed, their courage became suspected, and a stain was left on their honour. That vengeance, which the impotent hand of the magistrate could not inflict, their own could easily execute. Under

governments so feeble, men assumed, as in a state of nature, the right of judging, and redressing their own wrongs; and thus assassination, a crime of all others the most destructive to society, came not only to be allowed, but to be reckoned honourable. 1566.

The history of Europe, during the fourteenth and fifteenth centuries, abounds with detestable instances of this crime. It prevailed chiefly among the French and Scots, between whom there was a close intercourse at that time, and a surprising resemblance in their national characters. In one thousand four hundred and seven, the only brother of the king of France was murdered publicly in the streets of Paris; and so far was this horrible action from meeting with proper punishment, that an eminent lawyer was allowed to plead in defence of it before the peers of France, and avowedly to maintain the lawfulness of assassination. In one thousand four hundred and seventeen, it required all the eloquence and authority of the famous Gerson, to prevail on the council of Constance to condemn this proposition: "That there are some cases in which assassination is a virtue more meritorious in a knight than in a squire, and more meritorious in a king than in a knight[t]." The number of eminent persons who were murdered in France and Scotland, on account either of private, or political, or religious quarrels, during the fifteenth and sixteenth centuries, is almost incredible. Even after those causes, which first gave rise to this barbarous practice, were removed; after the jurisdiction of magistrates, and the authority of laws, were better established, and become more universal; after the progress of learning and philosophy had polished the manners and humanized the minds of men, this crime continued in some degree. It was towards the close of the seventeenth century before it disappeared in France. The additional vigour, which

[t] L'Enfant, Hist. Conc. de Const.

1566. the royal authority acquired by the accession of James the sixth to the throne of England, seems to have put a stop to it in Scotland.

The influence, however, of any national custom, both on the understanding and on the heart, and how far it may go towards perverting or extinguishing moral principles of the greatest importance, is remarkable. The authors of those ages have perfectly imbibed the sentiments of their contemporaries with regard to assassination; and they who had leisure to reflect and to judge, appear to be no more shocked at this crime, than the persons who committed it during the heat and impetuosity of passion. Buchanan describes the murder of cardinal Beatoun and of Rizio, without expressing those feelings which are natural to a man, or that indignation which became an historian[u]. Knox, whose mind was fiercer and more unpolished, relates the death of Beatoun and of the duke of Guise, not only without censure, but with the utmost exultation[x]. On the other hand, the bishop of Ross mentions the assassination of the earl of Murray with some degree of applause[y]. Blackwood dwells upon it with the most indecent triumph, and ascribes it directly to the hand of God[z]. Lord Ruthven, the principal actor in the conspiracy against Rizio, wrote an account of it some short time before his own death, and in all his long narrative there is not one expression of regret, or one symptom of compunction, for a crime no less dishonourable than barbarous[a]. Morton, equally guilty of the same crime, entertained the same sentiments concerning it; and in his last moments, neither he himself, nor the ministers who attended him, seem to have considered it as an action which called for repentance; even then he talks of 'David's slaughter' as coolly as if it had been an innocent or commendable deed[b]. The vices of another

[u] Buchan. 295. 345.
[x] Knox, 334.
[y] Anders. 3. 84.
[z] Jebb, ii. 263.
[a] Keith, Append. 119.
[b] Crawf. Mem. Append.

age astonish and shock us; the vices of our own become familiar, and excite little horrour[c]. I return from this digression to the course of the history. 1566.

The charm which had at first attached the queen to Darnly, and held them for some time in an happy union, was now entirely dissolved; and love no longer covering his follies and vices with its friendly veil, they appeared to Mary in their full dimension and deformity[d]. Though Henry published a proclamation, disclaiming any knowledge of the conspiracy against Rizio, the queen was fully convinced that he was not only accessory to the contrivance, but to the commission of that odious crime[e]. That very power which, with liberal and unsuspicious fondness, she had conferred upon him, he had employed to insult her authority, to limit her prerogative, and to endanger her person. Such an outrage it was impossible any woman could bear or forgive. Cold civilities, secret distrust, frequent quarrels, succeeded to their former transports of affection and confidence. The queen's favours were no longer conveyed through his hands. The crowd of expectants ceased to court his patronage, which they found to avail so little. Among the nobles, some dreaded his furious temper, others complained of his perfidiousness; and all of them despised the weakness of his understanding, and the inconstancy of his heart. The people themselves observed some parts of his conduct, which little suited the dignity of a king. The queen's hatred to Darnly increases.

[c] In the first accounts of Rizio's murder sent to England, there seem to have been mingled (as is usual in relating extraordinary events) some circumstances, which afterwards appeared to be false: among others, that a friar, named Black, had been slain at the same time with Rizio. Parkhurst, bishop of Norwich, in communicating this intelligence to his correspondent Bullinger, an eminent reformed divine of Zurich, expresses no condemnation of the murder of Rizio, and exults over the supposed death of the friar in terms which, in our times, will appear as shocking as they are puerile: "Fraterculus quidam, nomine Black, papistarum antesignanus, eodem tempore in aula occiditur. Sic niger hic nebulo, nigra quoque morte peremptus, invitus nigrum subito descendit in orcum." Burn. Hist. of Reform. iii. Append. 360.

[d] See Appendix, No. XVI.

[e] Keith, 350.

1566. Addicted to drunkenness, beyond what the manners of that age could bear, and indulging irregular passions, which even the licentiousness of youth could not excuse, he, by his indecent behaviour, provoked the queen to the utmost; and the passions which it occasioned often forced tears from her eyes, both in public and in private[f]. Her aversion for him increased every day, and could be no longer concealed. He was often absent from court, appeared there with little splendour, and was trusted with no power. Avoided equally by those who endeavoured to please the queen, who favoured Morton and his associates, or who adhered to the house of Hamilton, he was left almost alone in a neglected and unpitied solitude[g].

The rise of Bothwell's favour.

About this time a new favourite grew into great credit with the queen, and soon gained an ascendant over her heart, which encouraged his enterprising genius to form designs that proved fatal to himself, and the occasion of all Mary's subsequent misfortunes. This was James Hepburn, earl of Bothwell, the head of an ancient family, and, by his extensive possessions and numerous vassals, one of the most powerful noblemen in the kingdom. Even in that turbulent age, when so many vast projects were laid open to an aspiring mind, and invited it to action, no man's ambition was more daring than Bothwell's, or had recourse to bolder or more singular expedients for obtaining power[h]. When almost every person of distinction in the kingdom, whe-

[f] Keith, 329. [g] Melv. 131, etc.

[h] The enterprising spirit of Bothwell was so conspicuous as to procure him several marks of distinction during his residence in France. Hardwick's State Papers, i. 143. Throkmorton, the English ambassador at Paris, and one of the most sagacious ministers employed by Elizabeth, points him out as a person who was to be dreaded and observed. "The earl of Bothwell," says he in a letter, Nov. 28, 1560, "is departed to return into Scotland, and hath made boast that he will do great things, and live in Scotland, in despite of all men. He is a glorious, rash, and hazardous young man; and therefore it were meet that his adversaries should both have an eye to him, and also keep him short." Ibid. p. 149.

ther papist or protestant, had joined the congregation in opposing the dangerous encroachments of the French upon the liberties of the nation, he, though an avowed protestant, adhered to the queen regent, and acted with vigour on her side. The success which attended the arms of the congregation having obliged him to retire into France, he was taken into the queen's service, and continued with her till the time of her return into Scotland[i]. From that period, every step of his conduct towards Mary was remarkably dutiful; and, amidst all the shiftings of faction, we scarcely ever find him holding any course which could be offensive to her. When Murray's proceedings with regard to her marriage gave umbrage to the queen, she recalled Bothwell from that banishment into which she had been obliged with reluctance to drive him, and considered his zeal and abilities as the most powerful supports of her authority. When the conspirators against Rizio seized her person, he became the chief instrument of recovering her liberty, and served her, on that occasion, with so much fidelity and success, as made the deepest impression on her mind, and greatly increased the confidence which she had hitherto placed in him[k]. Her gratitude loaded him with marks of her bounty; she raised him to offices of profit and trust, and transacted no matter of importance without his advice[l]. By complaisance and assiduity he confirmed and fortified these dispositions of the queen in his favour, and insensibly paved the way towards that vast project which his immoderate ambition had perhaps already conceived, and which, in spite of many difficulties, and at the expense of many crimes, he at last accomplished. 1566.

The hour of the queen's delivery now approached. As her palace was defended only by a slender guard, it seemed imprudent to expose her person, at this time, to the insults she might suffer in a kingdom torn by fac-

[i] Anders. i. 90. [k] Ibid. 92, 93. [l] Melv. 133. Knox, 396.

1566. tions and prone to mutiny. For this reason the privy council advised the queen to fix her residence in the castle of Edinburgh, the strongest fortress in the kingdom, and the most proper place for the security of her person[m]. In order to render this security more perfect, Mary laboured to extinguish the domestic feuds which divided some of the principal nobles. Murray and Argyll were exasperated against Huntly and Bothwell, by reciprocal and repeated injuries. The queen, by her authority and entreaties, effected a reconcilement among them, and drew from them a promise to bury their discords in everlasting oblivion. This reconcilement Mary had so much at heart, that she made it the condition on which she again received Murray into favour[n].

Birth of James the sixth.

On the nineteenth of June, Mary was delivered of her only son James, a prince whose birth was happy for the whole island, and unfortunate to her alone. His accession to the throne of England united the two divided kingdoms in one mighty monarchy, and established the power of Great Britain on a firm foundation; while she, torn early from her son by the cruelty of her fate, was never allowed to indulge those tender passions, nor to taste those joys which fill the heart of a mother.

Melvil was instantly despatched to London with an account of this event. It struck Elizabeth, at first, in a sensible manner; and the advantage and superiority which her rival had acquired by the birth of a son, forced tears from her eyes. But before Melvil was admitted to an audience, she had so far recovered the command of herself, as to receive him not only with decency, but with excessive cheerfulness; and willingly accepted the invitation which Mary gave her, to stand godmother to her son[o].

As Mary loved splendour and magnificence, she re-

[m] Keith, 335. [n] Ibid. 336. Append. 139. [o] Melv. 138.

solved to celebrate the baptism of the young prince with great pomp; and for that purpose sent invitations of the same kind to the French king, and to the duke of Savoy, the uncle of her former husband. 1566.

The queen, on her recovery, discovered no change in her sentiments with respect to the king[p]. The death of Rizio, and the countenance he had given to an action so insolent and unjustifiable, were still fresh in her memory. She was frequently pensive and dejected[q]. Though Henry sometimes attended at court, and accompanied her in her progresses through different parts of the kingdom, he met with little reverence from the nobles, while Mary treated him with the greatest reserve, and did not suffer him to possess any authority[r]. The breach between them became every day more apparent[s]. Attempts were made towards a reconcilement, particularly by Castelnau, the French ambassador; but, after such a violent rupture, it was found no easy matter to bind the nuptial knot anew; and, though he prevailed on the king and queen to pass two nights together[t], we may, with great probability, pronounce this appearance of union, to which Castelnau trusted, not to have been sincere: we know with certainty that it was not lasting. The queen continues to treat Darnly with indifference and neglect.

Bothwell, all this while, was the queen's prime confident. Without his participation no business was concluded, and no favour bestowed. Together with this ascendant over her councils, Bothwell, if we may believe the contemporary historians, acquired no less sway over her heart. But at what precise time this ambitious lord first allowed the sentiments of a lover to occupy the place of that duty and respect which a subject owes his sovereign; or when Mary, instead of gratitude for his faithful services, felt a passion of another nature rising in her bosom, it is no easy matter to determine. Her attachment to Bothwell increases.

[p] See Appendix, No. XVII.
[q] Melv. 148.
[r] Keith, 350. Melv. 132.
[s] Keith, Append. 169.
[t] Keith, 169.

1566. Such delicate transitions of passion can be discerned only by those who are admitted near the persons of the parties, and who can view the secret workings of the heart with calm and acute observation. Neither Knox nor Buchanan enjoyed these advantages. Their humble station allowed them only a distant access to the queen and her favourite. And the ardour of their zeal, as well as the violence of their prejudices, rendered their opinions rash, precipitate, and inaccurate. It is by the effects of this reciprocal passion, rather than by their accounts of it, that subsequent historians can judge of its reality.

Adventurous as Bothwell's project to gain the queen may appear, it was formed and carried on under very favourable circumstances. Mary was young, gay, and affable. She possessed great sensibility of temper, and was capable of the utmost tenderness of affection. She had placed her love on a very unworthy object, who requited it with ingratitude, and treated her with neglect, with insolence, and with brutality. All these she felt and resented. In this situation, the attention and complaisance of a man who had vindicated her authority, and protected her person, who entered into all her views, who soothed all her passions, who watched and improved every opportunity of insinuating his design and recommending his passion[u], could hardly fail of making an impression on a heart of such a frame as Mary's.

The king resolves to leave Scotland.

The haughty spirit of Darnly, nursed up in flattery, and accustomed to command, could not bear the contempt, under which he had now fallen, and the state of insignificance, to which he saw himself reduced. But, in a country where he was universally hated or despised, he could never hope to form a party, which would second any attempt he might make to recover power. He addressed himself, therefore, to the pope,

[u] Anders. i. 93, 94.

and to the kings of France and Spain, with many professions of his own zeal for the catholic religion, and with bitter complaints against the queen, for neglecting to promote that interest[x]: and, soon after, he took a resolution, equally wild and desperate, of embarking on board a ship which he provided, and of flying into foreign parts. It is almost impossible to form any satisfactory conjecture concerning the motives which influence a capricious and irregular mind. He hoped, perhaps, to recommend himself to the catholic princes on the continent by his zeal for religion, and that they would employ their interest towards reinstating him in the possession of that power which he had lost. Perhaps he expected nothing more than the comfort of hiding the disgrace, under which he was now fallen, among strangers, who had never been witnesses of his former prosperity. 1566.

His capricious behaviour.

He communicated the design to the French ambassador, le Croc, and to his father, the earl of Lennox. They both endeavoured to dissuade him from it, but without success. Lennox, who seems, as well as his son, to have lost the queen's confidence, and who, about this time, was seldom at court, instantly communicated the matter to her by a letter. Henry, who had refused to accompany the queen from Stirling to Edinburgh, was likewise absent from court. He arrived there, however, on the same day she received the account of his intended flight. But he was more than usually wayward and peevish; and, scrupling to enter the palace, unless certain lords who attended the queen were dismissed, Mary was obliged to meet him without the gates. At last he suffered her to conduct him into her own apartment. She endeavoured to draw from him the reasons of the strange resolution which he had taken, and to divert him from it. In spite, however, of all her arguments and entreaties, he remained silent

[x] Knox, 399.

1566. and inflexible. Next day the privy council, by her direction, expostulated with him on the same head. He persisted, notwithstanding, in his sullenness and obstinacy; and neither deigned to explain the motives of his conduct, nor signified any intention of altering it. As he left the apartment, he turned towards the queen, and told her that she should not see his face again for a long time. A few days after, he wrote to Mary, and mentioned two things, as grounds of his disgust. She herself, he said, no longer admitted him into any confidence, and had deprived him of all power; and the nobles, after her example, treated him with open neglect, so that he appeared in every place without the dignity and splendour of a king.

Mary endeavours to prevent his intended flight.

Nothing could be more mortifying to Mary, than this intended flight of the king's, which would have spread the infamy of their domestic quarrel all over Europe. Compassion for a monarch who would then appear to be forced into exile by her neglect and ill usage, might have disposed mankind to entertain sentiments concerning the causes of their discord, little to her advantage. In order, therefore, to prepossess the minds of her allies, and to screen her reputation from any censure, with which Darnly might endeavour to load it, the privy council transmitted a narrative of this whole transaction both to the king and to the queen-mother of France. It was drawn with great art, and sets Mary's conduct in the most favourable point of light[y].

About this time the license of the borderers called for redress; and Mary resolving to hold a court of justice at Jedburgh, the inhabitants of several adjacent counties were summoned to attend their sovereign, in arms, according to custom[z]. Bothwell was at that time lieutenant or warden of all the marches, an office among the most important in the kingdom; and, though usu-

[y] Keith, 345. 347. [z] Ibid. 353. Good. vol. i. 302.

ally divided into three distinct governments, bestowed by the queen's favour upon him alone. In order to display his own valour and activity in the discharge of this trust, he attempted to seize a gang of banditti, who, lurking among the marshes of Liddesdale, infested the rest of the country. But while he was laying hold upon one of those desperadoes, he was wounded by him in several places, so that his followers were obliged to carry him to Hermitage castle. Mary instantly flew thither, with an impatience which has been considered as marking the anxiety of a lover, but little suited the dignity of a queen[a]. Finding that Bothwell was threatened with no dangerous symptom, she returned the same day to Jedburgh. The fatigue of such a journey, added to the anguish of mind she had suffered on Bothwell's account, threw her next morning into a violent fever[b]. Her life was despaired of; but her youth, and the vigour of her constitution, resisted the malignity of her disease. During the continuance of the queen's illness, the king, who resided at Stirling, never came near Jedburgh[c]; and when he afterwards thought fit to make his appearance there, he met with such a cold reception, as did not encourage him to make any long stay[d]. Mary soon recovered strength enough to return along the eastern borders to Dunbar.

1566. Oct. 16. Nov. 5.

[a] The distance between Jedburgh and Hermitage is eighteen Scottish miles, through a country almost impassable. The season of the year was far advanced. Bothwell seems to have been wounded in a scuffle, occasioned by the despair of a single man, rather than any open insurrection of the borderers. It does not appear that the queen was attended by any considerable train. Had any military operation been necessary, as is supposed, Good. vol. i. 304, it would have been extremely improper to risk the queen's person in an expedition against thieves. As soon as the queen found Bothwell to be in no danger, she instantly returned; and after this we hear no more of the insurrection, nor have we any proof that the rioters took refuge in England. As there is no farther evidence with respect to the motives of this extraordinary journey, the reader must judge what degrée of credit is due to Knox and Buchanan, who ascribe it to the queen's love of Bothwell.

[b] Keith, 351, 352. [c] Ibid. Append. 133. [d] Knox, 400.

1566. While she resided in this place, her attention was turned towards England. Elizabeth, notwithstanding her promise, and even proclamations to the contrary, not only allowed, but encouraged, Morton and his associates to remain in England[e]. Mary, on the other hand, offered her protection to several English fugitives. Each queen watched the motions of the other with a jealous attention, and secretly countenanced the practices which were carrying on to disturb the administration of her rival.

The English parliament favours Mary's pretensions to the succession.

For this purpose Mary's ambassador, Robert Melvil, and her other emissaries, were extremely active and successful. We may ascribe, in a good degree, to their intrigues, that spirit which appeared in the parliament of England, and which raised a storm that threatened Elizabeth's domestic tranquillity, more than any other event of her reign, and required all her art and dexterity to allay it.

Elizabeth had now reigned eight years without discovering the least intention to marry. A violent distemper, with which she had lately been seized, having endangered her life, and alarmed the nation with the prospect of all those calamities which are occasioned by a disputed and dubious succession, a motion was made, and eagerly listened to in both houses, for addressing the queen to provide against any such danger in times to come, either by signifying her own resolution to marry, or by consenting to an act, establishing the order of succession to the crown[f]. Her love to her subjects, her duty to the public, her concern for posterity, it was asserted, not only called upon, but obliged her to take one of these steps. The insuperable aversion which she had all along discovered for marriage, made it improbable that she would choose the former; and if she complied with the latter request, no title to the

[e] Cald. vol. ii. p. 15.
[f] D'Ewes' Journ. of Parl. 105.

crown could, with any colour of justice, be set in opposition to that of the Scottish queen. Elizabeth was sagacious enough to see the remotest consequences of this motion, and observed them with the greatest anxiety. Mary, by refusing so often to ratify the treaty of Edinburgh, had plainly intimated a design of embracing the first promising opportunity for prosecuting her right to the English crown; and, by her secret negotiations, she had gained many to favour her title[g]. All the Roman catholics ardently wished for her succession. Her gentleness and humanity had removed many of those apprehensions which the protestants entertained on account of her religion. The court faction, which envied the power of Cecil, and endeavoured to wrest the administration out of his hands, advanced the pretensions of the Scottish queen in opposition to him. The union of the two kingdoms was a desirable object to all wise men in both nations; and the birth of the young prince was a security for the continuance of this blessing, and gave hopes of its perpetuity. 1566.

Elizabeth's perplexity on that account.

Under these circumstances, and while the nation was in such a temper, a parliamentary declaration of Mary's title would have been highly detrimental to Elizabeth. The present unsettled state of the succession left much in her power. Her resentment alone might have gone far towards excluding any of the competitors from the crown; and the dread of this had hitherto restrained and overawed the ambition of the Scottish queen. But if this check should be removed by the legal acknowledgment of her title, Mary would be more at liberty to pursue her dangerous designs, and to act without fear or reserve. Her partisans were already meditating schemes for insurrections in different parts of the kingdom[h]; and an act of parliament, recognising the rights of that princess, whose pretensions they favoured,

[g] Melv. 136.

[h] Melv. 147.

1566. would have been nothing less than a signal to arms; and, notwithstanding Elizabeth's just title to the affections of her subjects, might have shaken and endangered her throne.

Mary endeavours to improve this opportunity.

While this matter remained in suspense in both houses, an account of it was transmitted to Mary by Melvil, her ambassador. As she did not want advocates for her right, even among those who were near Elizabeth's person, she endeavoured to cultivate the disposition which appeared towards settling the right of succession in her favour, by a letter to the privy counsellors of England. She expressed in it a grateful sense of Elizabeth's friendship, which she ascribes chiefly to their good offices with their sovereign in her behalf. She declared her resolution to live in perpetual amity with England, without urging or pursuing her claim upon the crown any farther than should be agreeable to the queen: But, at the same time, as her right of succession was undoubted, she hoped it would be examined with candour, and judged of with impartiality. The nobles who attended her wrote to the English privy council in the same strain[i]. Mary artfully gave these letters the air of being nothing more than a declaration of her own and of her subjects' gratitude towards Elizabeth. But, as she could not be ignorant of the jealousy and fear with which Elizabeth observed the proceedings of parliament, a step so uncommon as this, of one prince's entering into public correspondence with the privy counsellors of another, could not be otherwise construed than as taken with an intention to encourage the spirit which had already been raised among the English. In this light it seems to have appeared to Elizabeth herself[k]. But the disposition of her people rendering it necessary to treat Mary's person with great decency, and her title with

[i] Keith, 354. Append. 136. [k] Keith, 357.

much regard, she mentioned it to her only in the softest language. 1566.

Elizabeth sooths and gains her parliament.

Nothing, however, could be a more cruel mortification to a princess of Elizabeth's character, than the temper which both houses of parliament discovered on this occasion. She bent all her policy to defeat or elude the motion. After allowing the first heat of their zeal to evaporate, she called into her presence a certain number of each house. She soothed and caressed them; she threatened and promised; she remitted subsidies which were due, and refused those which were offered; and, in the end, prevailed to have this formidable motion put off for that session. Happily for her, the conduct of the Scottish queen, and the misfortunes which befell her, prevented the revival of such a motion in any future parliament[l].

Meantime, in order to preserve the reputation of impartiality, and that she might not drive Mary into any desperate measure, she committed to the tower one Thornton, who had published something derogatory to the right of the Scottish line[m]; and signified her displeasure against a member of the house of commons, who seemed, by some words in a speech, to glance at Mary[n].

An extraordinary step of Mary's in favour of popery.

Amidst all her other cares, Mary was ever solicitous to promote the interest of that religion which she professed. The reestablishment of the Romish doctrine seems to have been her favourite passion; and, though the design was concealed with care and conducted with caution, she pursued it with a persevering zeal. At this time she ventured to lay aside somewhat of her usual reserve; and the aid which she expected from the popish princes, who had engaged in the league of Bayonne, encouraged her to take a step, which, if we

[l] D'Ewes' Journ. 104—130. Camd. 399. Melv. 119. Haynes, 446.
[m] Camd. 401.
[n] Haynes, 449.

1566. consider the temper of the nation, appears to be extremely bold. Having formerly held a secret correspondence with the court of Rome, she now resolved to allow a nuncio from the pope publicly to enter her dominions. Cardinal Laurea, at that time bishop of Mondovi, was the person on whom Pius the fifth conferred this office, and along with him he sent the queen a present of twenty thousand crowns[o]. It is not the character of the papal court to open its treasury upon distant or imaginary hopes. The business of the nuncio in Scotland could be no other, than to attempt a reconciliation of that kingdom to the Romish see. Thus Mary herself understood it; and, in her answer to a letter which she received from the pope, after expressing her grateful sense of his paternal care and liberality, she promises that she would bend her whole strength towards the reestablishment and propagation of the catholic faith; that she would receive the nuncio with every possible demonstration of respect, and concur with the utmost vigour in all his designs towards promoting the honour of God, and restoring peace to the kingdom; that she would celebrate the baptism of the prince, according to the ceremonies which the Romish ritual prescribes, hoping that her subjects would be taught, by this example, again to reverence the sacraments of the church, which they had so long treated with contempt; and that she would be careful to instil early into her son the principles of a sincere love and attachment to the catholic faith[p]. But though the nuncio was already arrived at Paris, and had sent over one of his attendants with part of the money, the queen did not think the juncture proper for his reception. Elizabeth was preparing to send a magnificent embassy into Scotland, against the time of the prince's baptism, and, as it would have been improper to offend her, she

[o] Vita Card. Laur. ap. Burn. vol. iii. p. 325.
[p] Conæi Vita Mariæ, ap. Jebb, vol. ii. p. 51.

wisely contrived, under various pretences, to detain Laurea at Paris[q]. The convulsions into which the kingdom was thrown soon after, made it impossible for him to pursue his journey any farther. 1566.

At the very time that Mary was secretly carrying on these negotiations for subverting the reformed church, she did not scruple publicly to employ her authority towards obtaining for its ministers a more certain and comfortable subsistence[r]. During this year, she issued several proclamations and acts of council for that purpose, and readily approved of every scheme which was proposed for the more effectual payment of their stipends. This part of her conduct does little honour to Mary's integrity: and though justified by the example of princes, who often reckon falsehood and deceit among the necessary arts of government, and even authorized by the pernicious casuistry of the Roman church, which transfers breach of faith to heretics from the list of crimes to that of duties, such dissimulation, however, must be numbered among those blemishes which never stain a truly great and generous character.

December. Her aversion for the king excessive.

As neither the French nor Piedmontese ambassadors were yet arrived, the baptism of the prince was put off from time to time. Meanwhile, Mary fixed her residence at Craigmillar[s]. Such a retirement, perhaps, suited the present temper of her mind, and induced her to prefer it before her own palace of Holyrood house. Her aversion for the king grew every day more confirmed, and was become altogether incurable. A deep melancholy succeeded to that gaiety of spirit which was natural to her. The rashness and levity of her own choice, and the king's ingratitude and obstinacy, filled her with shame and with despair. A variety of passions preyed at once on a mind, all whose sensations were exquisite, and all its emotions strong, and

[q] Keith, Append. 135.
[r] Keith, 561, 562. Knox, 401.
[s] Keith, 355.

1566. often extorted from her the last wish of the unfortunate, that life itself might come to an end[t].

But as the earl of Bedford, and the count de Brienne, the English and French ambassadors, whom she had long expected, arrived about this time, Mary was obliged to suppress what passed in her bosom, and to set out for Stirling, in order to celebrate the baptism of her son. Bedford was attended by a numerous and splendid train, and brought presents from Elizabeth, suitable to her own dignity, and the respect with which she affected, at that time, to treat the queen of Scots. Great preparations had been made by Mary, and the magnificence displayed by her on this occasion exceeded whatever had been formerly known in Scotland.

Dec. 17. The ceremony itself was performed according to the rites of the Romish church. But neither Bedford nor any of the Scottish nobles who professed the protestant religion, entered within the gates of the chapel[u]. The spirit of that age, firm and uncomplying, would not, upon any inducement, condescend to witness an action which it deemed idolatrous.

The king's capricious behaviour, at the baptism of the prince.

Henry's behaviour, at this juncture, perfectly discovers the excess of his caprice, as well as of his folly. He chose to reside at Stirling, but confined himself to his own apartment; and, as the queen distrusted every nobleman who ventured to converse with him, he was left in absolute solitude. Nothing could be more singular, or was less expected, than his choosing to appear in a manner that both published the contempt, under which he had fallen, and, by exposing the queen's domestic unhappiness to the observation of so many foreigners, looked like a step taken on purpose to mortify and to offend her. Mary felt this insult sensibly; and, notwithstanding all her efforts to assume the gaiety which suited the occasion, and which was necessary for the polite reception of her guests, she was sometimes

[t] Keith, Pref. vii. [u] Ibid. 360.

obliged to retire, in order to be at liberty to indulge her sorrow, and give vent to her tears[x]. The king still persisted in his design of retiring into foreign parts, and daily threatened to put it into execution[y]. 1566.

Elizabeth endeavours to accommodate her differences with Mary.

The ceremony of witnessing the prince's baptism was not the sole business of Bedford's embassy. His instructions contained an overture, which ought to have gone far towards extinguishing those jealousies which had so long subsisted between the two queens. The treaty of Edinburgh, which had been so often mentioned, was the principal occasion of these. The spirit, however, which had risen to such an height in the late

[x] Keith, Pref. vii.

[y] Camden affirms, 401, that Bedford was commanded by Elizabeth not to give Darnly the title of king. As this was an indignity not to be borne either by Mary or her husband, it hath been asserted to be the cause of the king's absence from the ceremony of his son's baptism. Keith, 360. Good. 319. But, 1. No such thing is to be found among Bedford's instructions, the original of which still remains. Keith, 356. 2. Bedford's advice to the queen by Melvil is utterly inconsistent with Camden's assertion. Melv. 153. Melvil's account is confirmed by Elizabeth's instructions to sir Henry Norris, where she affirms that she commanded Bedford to employ his best offices towards reconciling Mary to her husband, which she had attempted to no purpose. Digges's Compl. Ambas. p. 13. A paper published, Appendix, No. XVIII. proves the same thing. 3. Le Croc, the French resident, mentions the king's absence, but without giving that reason for it, which has been founded on Camden's words, though, if that had been the real one, it is hardly possible to conceive that he should have neglected to mention it. Le Croc's first letter is dated December 2, some time prior to the arrival of the earl of Bedford in Scotland; and when his instructions, either public or secret, could hardly be known. Le Croc plainly supposes that the discord between the king and queen was the cause of his absence from the baptism, and his account of this matter is that which I have followed. Keith, Pref. vii. 4. He informs his court, that on account of the difference betwixt the king and the queen, he had refused to hold any further correspondence with the former, though he appears, in many instances, to have been his great confident. Ibid. 5. As the king was not present at the baptism, he seems to have been excluded from any share in the ordinary administration of business. Two acts of privy council, one on the 20th and the other on the 21st of December, are found in Keith, 562. They both run in the queen's name alone. The king seems not to have been present. This could not be owing to Elizabeth's instructions to Bedford.

1566. parliament, the power of the party which favoured the Scottish queen's title, the number and activity of her agents in different parts of the kingdom, alarmed Elizabeth, and induced her to forego any advantage which the ambiguous and artful expressions in that treaty might afford her. Nothing was now demanded of Mary, but to renounce any title to the crown of England during Elizabeth's life and the lives of her posterity; who, on the other hand, engaged to take no step which might prove injurious to Mary's claim upon the succession[z].

Mary could not with decency reject a proposition so equitable; she insisted, however, that Elizabeth should order the right upon which she claimed, to be legally examined, and publicly recognised, and particularly that the testament of Henry the eighth, whereby he had excluded the descendants of his eldest sister, the queen of Scotland, from the place due to them in the order of succession, might be produced, and considered by the English nobility. Mary's ministers had credulously embraced an opinion, that this testament, which they so justly conceived to be injurious to their mistress, was a mere forgery; and on different occasions had urged Elizabeth to produce it. Mary would have suffered considerably by gaining this point. The original testament is still extant, and not the least doubt can be entertained of its genuineness and authenticity. But it was not Elizabeth's intention to weaken or to set aside the title of the house of Stewart. She aimed at nothing more than to keep the question concerning the succession perplexed and undecided; and, by industriously eluding this request, she did, in one respect, real service to Mary's cause[a].

A few days after the baptism of the prince, Morton, and all the other conspirators against Rizio, obtained their pardon, and leave to return into Scotland. Mary,

[z] Keith, 356.

[a] Rymer, xv. p. 110. Keith, 358. Note (c). Murdin, 368.

who had hitherto continued inexorable to every treaty in their behalf, yielded at last to the solicitations of Bothwell[b]. He could hope for no success in those bold designs on which his ambition resolved to venture, without drawing aid from every quarter. By procuring a favour for Morton and his associates, of which they had good reason to despair, he expected to secure a band of faithful and determined adherents. 1566.

The king still remained at Stirling in solitude and under contempt. His impatience in this situation, together with the alarm given him by the rumour of a design to seize his person, and confine him to prison[c], was the occasion of his leaving that place in an abrupt manner, and retiring to his father at Glasgow.

Two assemblies of the church were held during this year. New complaints were made, and upon good grounds, of the poverty and contempt under which the protestant clergy were suffered to languish. Penurious as the allotment for their subsistence was, they had not received the least part of what was due for the preceding year[d]. Nothing less than a zeal, ready to endure and to suffer every thing for a good cause, could have persuaded men to adhere to a church so indigent and so neglected. The extraordinary expenses occasioned by the prince's baptism had exhausted the queen's treasury, and the sums appropriated for the subsistence of the clergy were diverted into other channels. The queen was, therefore, obliged to prevent the just remonstrances of the assembly, by falling on some new method for the relief of the church. Some symptoms of liberality, some stretch towards munificence, might have been expected in an assignment which was made with an intention of soothing and silencing the clergy. But both the queen and the nobles held fast the riches of the church which they had seized. A sum which, at the highest computation, can hardly be reckoned equal June 25. Dec. 25. Church affairs.

[b] Good. vol. i. 140. Melv. 154. [c] Keith, Pref. viii. [d] Ibid. 562.

1566. to nine thousand pounds sterling[e], was deemed sufficient for the maintenance of a whole national church, by men who had lately seen single monasteries possessed of revenues far superior in value.

The ecclesiastics in that age bore the grievances which affected themselves alone with astonishing patience; but, wherever the reformed religion was threatened, they were extremely apt to be alarmed, and to proclaim, in the loudest manner, their apprehensions of danger. A just occasion of this kind was given them, a short time before the meeting of the assembly. The usurped and oppressive jurisdiction of the spiritual courts had been abolished by the parliament in the year one thousand five hundred and sixty, and commissaries were appointed to hear and determine the causes which formerly came under their cognizance[f]. Among the few acts of that parliament to which Mary had paid any regard, this was one. She had confirmed the authority of the commissaries, and had given them instructions for directing their proceedings[g], which are still of great authority in that court. From the time of their first appointment, these judges had continued in the uninterrupted exercise of their function, when of a sudden the queen issued a proclamation, restoring the archbishop of St. Andrew's to his ancient jurisdiction, and depriving the commissaries of all authority[h].

A motive, which cannot be justified, rendered the queen not unwilling to venture upon this rash action. She had been contriving for some time how to reestablish the popish religion; and the restoring the ancient ecclesiastics to their former jurisdiction seemed to be a considerable step towards that end. The motive which prompted Bothwell, to whose influence over the queen this action must be chiefly imputed[i], was still more criminal. His enterprising ambition had already formed

[e] Keith, 562. [f] Ibid. 152. [g] Ibid. 251.
[h] Knox, 403. [i] Id. ibid.

that bold design, which he soon after put in execution; 1566.
and the use which we shall hereafter find him making of that authority which the popish ecclesiastics regained, discovers the reasons of his present conduct in contributing to revive their power. The protestant clergy were not unconcerned spectators of an event which threatened their religion with unavoidable destruction; but, as they despaired of obtaining the proper remedy from the queen herself, they addressed a remonstrance to the whole body of the protestant nobility, full of that ardent zeal for religion, which the danger to which it was exposed, at that time, seemed to require[k]. What effects this vehement exhortation might have produced, we have no opportunity of judging, the attention of the nation being quickly turned towards events of another and more tragical nature.

1567.
The king falls sick at Glasgow.

Immediately upon the king's leaving Stirling, and before he could reach Glasgow, he was seized with a dangerous distemper. The symptoms which attended it were violent and unusual, and in that age it was commonly imputed to the effects of poison[l]. It is impossible, amidst the contradictions of historians, to decide with certainty concerning its nature or its cause[m]. His

[k] Keith, 567. [l] Melv. 154. Knox, 401.

[m] Buchanan and Knox are positive that the king had been poisoned. They mention the black and putrid pustules which broke out all over his body. Buchanan adds, that Abernethy, the king's physician, plainly declared that poison was the cause of these symptoms, and that the queen refused to allow her own physician to attend him. Buch. 349. Knox, 401. 2. Blackwood, Causin, etc. Jebb, vol. ii. 59. 214. assert that the small-pox was the disease with which the king was seized. He is called a 'pockish man' in the queen's letter. Good. vol. ii. 15. The reason given by French Paris for lodging the king at the Kirk of Field, viz. lest the young prince should catch the infection, if he staid in the palace, seems to favour this opinion. Anders. vol. ii. 193. Carte mentions it as a proof of Mary's tenderness to her husband, that though she never had the small-pox herself, she ventured to attend him, vol. iii. 446. This, if it had been true, would have afforded a good pretence for not visiting him sooner; but Mary had the small-pox in her infancy. Sadler's Letters, p. 330. An additional proof of this is produced from a poem of Adrian Turnebus, by the publisher of ancient Scottish poems, p. 308. 3. Bishop Lesley affirms that the king's

1567. life was in the utmost danger; but, after lingering for some weeks, the vigour of his constitution surmounted the malignity of his disease.

Neglected by Mary.

Mary's neglect of the king on this occasion was equal to that with which he had treated her during her illness at Jedburgh. She no longer felt that warmth of conjugal affection which prompts to sympathy, and delights in all those tender offices which sooth and alleviate sickness and pain. At this juncture, she did not even put on the appearance of this passion. Notwithstanding the king's danger, she amused herself with excursions to different parts of the country, and suffered near a month to elapse, before she visited him at Glasgow. By that time the violence of the distemper was over, and the king, though weak and languishing, was out of all danger.

The breach between them irreparable.

The breach between Mary and her husband was not occasioned by any of those slight disgusts which interrupt the domestic union, without dissolving it altogether. Almost all the passions which operate with greatest violence on a female mind, and drive it to the most dangerous extremes, concurred in raising and fomenting this unhappy quarrel. Ingratitude for the favours she had bestowed, contempt of her person, violations of the marriage vow, encroachments on her power, conspiracies against her favourites, jealousy, insolence, and obstinacy, were the injuries of which Mary had great reason to complain. She felt them with the utmost sensibility; and, added to the anguish of disappointed love, they produced those symptoms of despair which we have already described. Her resentment against the king seems not to have abated from the time of his leaving Stirling. In a letter written with her own hand to her ambassador in France, on the day

disease was the French pox. Keith, 364. Note (b). In that age, this disease was esteemed so contagious, that persons infected with it were removed without the walls of cities.

before she set out for Glasgow, no tokens of sudden reconcilement appear. On the contrary, she mentions, with some bitterness, the king's ingratitude, the jealousy with which he observed her actions, and the inclination he discovered to disturb her government, and at the same time talks of all his attempts with the utmost scorn[n]. 1567. Jan. 20.

Visits the king at Glasgow.

After this discovery of Mary's sentiments, at the time of her departure from Edinburgh to Glasgow, a visit to the king, which had been neglected, when his situation rendered it most necessary, appears singular; and it could hardly be expected that any thing but marks of jealousy and distrust should appear in such an interview. This, however, was far from being the case; she not only visited Henry, but, by all her words and actions, endeavoured to express an uncommon affection for him: and though this made impression on the credulous spirit of her husband, no less flexible on some occasions than obstinate on others; yet to those who are acquainted with the human heart, and who know how seldom and how slowly such wounds in domestic happiness are healed, this sudden transition will appear with a very suspicious air, and will be considered by them as the effect of artifice.

Her dissimulation.

But it is not on suspicion alone, that Mary is charged with dissimulation in this part of her conduct. Two of her famous letters to Bothwell were written during her stay at Glasgow, and fully lay open this scene of iniquity. He had so far succeeded in his ambitious and criminal design, as to gain an absolute ascendant over the queen; and, in a situation such as Mary's, merit not so conspicuous, services of far inferior importance, and address much less insinuating than Bothwell's, may be supposed to steal imperceptibly on a female heart, and entirely to overcome it. Unhappily, among those in the higher ranks of life, scruples with

[n] Keith, Pref. viii.

1567. regard to conjugal fidelity are, often, neither many nor strong: nor did the manners of that court, in which Mary had been educated, contribute to increase or to fortify them. The amorous turn of Francis the first and Henry the second, the licentiousness of the military character in that age, and the liberty of appearing in all companies, which began to be allowed to women, who had not yet acquired that delicacy of sentiment, and those polished manners, which alone can render this liberty innocent, had introduced among the French an astonishing relaxation in domestic morals. Such examples, which were familiar to Mary from her infancy, could hardly fail of diminishing that horrour of vice which is natural to a virtuous mind. The king's behaviour would render the first approach of forbidden sentiments less shocking; resentment and disappointed love would be apt to represent whatever soothed her revenge, as justifiable on that account; and so many concurring causes might, almost imperceptibly, kindle a new passion in her heart.

The motives of it.

But, whatever opinion we may form with regard to the rise and progress of this passion, the letters themselves breathe all the ardour and tenderness of love. The affection which Mary there expresses for Bothwell, fully accounts for every subsequent part of her conduct; which, without admitting this circumstance, appears altogether mysterious, inconsistent, and inexplicable. That reconcilement with her husband, of which, if we allow it to be genuine, it is impossible to give any plausible account, is discovered, by the queen's own confession, to have been mere artifice and deceit. As her aversion for her husband, and the suspicious attention with which she observed his conduct, became universally known, her ears were officiously filled, as is usual in such cases, with groundless or aggravated accounts of his actions. By some she was told, that the king intended to seize the person of the prince his son, and in his name to usurp the government; by others

she was assured that he resolved instantly to leave the kingdom; that a vessel was hired for this purpose, and lay in the river Clyde ready to receive him[o]. The last was what Mary chiefly dreaded. Henry's retiring into a foreign country must have been highly dishonourable to the queen, and would have entirely disconcerted Bothwell's measures. While he resided at Glasgow, at a distance from her, and in that part of the kingdom where the interest of his family was greatest, he might with more facility accomplish his designs. In order, therefore, to prevent his executing any such wild scheme, it was necessary to bring him to some place where he would be more immediately under her own eye. For this purpose, she first employed all her art to regain his confidence, and then proposed to remove him to the neighbourhood of Edinburgh, under pretence that there he would have easier access to the advice of physicians, and that she herself could attend him without being absent from her son[p]. The king was weak enough to suffer himself to be persuaded; and, being still feeble and incapable of bearing fatigue, was carried in a litter to Edinburgh. 1567. Prevails on him to come to Edinburgh.

The place prepared for his reception was a house belonging to the provost of a collegiate church, called Kirk of Field. It stood almost upon the same spot where the house belonging to the principal of the university now stands. Such a situation, on a rising ground, and, at that time, in an open field, had all the advantages of healthful air to recommend it; but, on the other hand, the solitude of the place rendered it extremely proper for the commission of that crime, with a view to which it seems manifestly to have been chosen.

Mary continued to attend the king with the most assiduous care. She seldom was absent from him through the day; she slept two nights in the chamber He is murdered there.

[o] Keith, Pref. viii.

[p] Good. vol. ii. 8.

1567. under his apartment. She heaped on him so many marks of tenderness and confidence, as, in a great measure, quieted those suspicions which had so long disturbed him. But while he was fondly indulging in dreams of the return of his former happiness, he stood on the very brink of destruction. On Sunday, the ninth of February, about eleven at night, the queen left the Kirk of Field, in order to be present at a masque in the palace. At two next morning, the house in which the king lay was blown up with gunpowder. The noise and shock which this sudden explosion occasioned, alarmed the whole city. The inhabitants ran to the place whence it came. The dead body of the king, with that of a servant who slept in the same room, were found lying in an adjacent garden without the city wall, untouched by fire, and with no bruise or mark of violence.

His character.

Such was the unhappy fate of Henry Stewart lord Darnly, in the twenty-first year of his age. The indulgence of fortune, and his own external accomplishments, without any other merit, had raised him to an height of dignity of which he was altogether unworthy. By his folly and ingratitude, he lost the heart of a woman who doted on him to distraction. His insolence and inconstancy alienated from him such of the nobles as had contributed most zealously towards his elevation. His levity and caprice exposed him to the scorn of the people, who once revered him as the descendant of their ancient kings and heroes. Had he died a natural death, his end would have been unlamented, and his memory have been forgotten; but the cruel circumstances of his murder, and the shameful remissness in neglecting to avenge it, have made his name to be remembered with regret, and have rendered him the object of pity, to which he had otherwise no title.

Bothwell and the queen suspected of the murder.

Every one's imagination was at work to guess who had contrived and executed this execrable deed. The suspicion fell, with almost general consent, on Both-

well[q]; and some reflections were thrown out, as if the queen herself were no stranger to the crime. Of Bothwell's guilt there remains the fullest evidence that the nature of the action will admit. The queen's known sentiments with regard to her husband, gave a great appearance of probability to the imputation with which she was loaded[r]. 1567.

Two days after the murder, a proclamation was issued by the queen, offering a considerable reward to any person who should discover those who had been guilty of such a horrid and detestable crime[s]; and though Bothwell was now one of the greatest subjects in the kingdom, formidable on account of his own power, and protected by the queen's favour, it was impossible to suppress the sentiments and indignation of the people. Papers were affixed to the most public places of the city, accusing him of the murder, and naming his accomplices; pictures appeared to the same purpose; and voices were heard in the middle of the night, charging him with that barbarous action. But the authors of these rumours did not confine their accusations to Bothwell alone; they insinuated that the queen herself was accessory to the crime[t]. This bold accusation, which so directly attacked Mary's reputation, drew the attention of her council; and, by engaging them in an inquiry after the authors of these libels, diverted them from searching for the murderers of the king[u]. It could scarce be expected that Mary herself would be extremely solicitous to discover those who had rid her of an husband, whom she had so violently hated. It was Bothwell's interest, who had the supreme direction of this, as well as of all other affairs, to stifle and suppress whatever evidence should be offered, and to cover, if possible, the whole transaction

[q] Melv. 155. Anders. vol. ii. 156.

[r] See dissertation concerning the murder of Henry Darnly, and the genuineness of Mary's letters to Bothwell, Appendix.

[s] Anders. vol. i. 36. [t] Idem, vol. ii. 156. [u] Idem, vol. i. 38.

1567. under the veil of darkness and of silence. Some inquiry, however, was made, and some persons called before the council; but the examination was conducted with the most indecent remissness, and in such a manner as to let in no light upon that scene of guilt[x].

It was not her own subjects alone who suspected Mary of having been accessory to this unnatural crime; nor did an opinion, so dishonourable to her character, owe its rise and progress to the jealousy and malice of her factious nobles. The report of the manner and circumstances of the king's murder spread quickly over all Europe; and, even in that age, which was accustomed to deeds of violence, it excited universal horrour. As her unhappy breach with her husband had long been matter of public discourse, the first conjectures which were formed with regard to his death, were extremely to her disadvantage. Her friends, at a loss what apology to offer for her conduct, called on her to prosecute the murderers with the utmost diligence, and expected that the rigour of her proceedings would prove the best and fullest vindication of her innocence[y].

Lennox accuses Bothwell of the king's murder.

Lennox at the same time incited Mary to vengeance, with incessant importunity. This nobleman had shared in his son's disgrace, and, being treated by Mary with neglect, usually resided at a distance from court. Roused, however, by an event no less shocking to the heart of a father, than fatal to all his

Feb. 21. schemes of ambition, he ventured to write to the queen, and to offer his advice with respect to the most effectual method for discovering and convicting those who had so cruelly deprived him of a son, and her of an husband. He urged her to prosecute those who were guilty with vigour, and to bring them to a speedy trial; he declared his own suspicion of Bothwell, and of those who were named as his accomplices; he required that, out of regard to decency, and in order to encourage

[x] Anders. vol. iv. part ii. 167, 168. [y] Keith, Pref. ix.

evidence to appear against them, the persons accused of such an atrocious crime should be committed to custody, or at least excluded from her court and presence[z]. 1567.

Mary was then at Seaton, whither she had retired after the burial of the king, whose body was deposited among the monarchs of Scotland, in a private but decent manner[a]. The former part of the earl's demand could not, on any pretence, be eluded; and it was resolved to bring Bothwell immediately to trial. But, instead of confining him to any prison, Mary admitted him into all her councils, and allowed a person, universally reputed the murderer of her husband, to enjoy all the security, the dignity, and the power of a favourite[b]. The offices which Bothwell already possessed, gave him the command of all the south of Scotland. The castle of Edinburgh, however, was a place of so much consequence, that he wished earnestly to have it in his own power. The queen, in order to prevail on the earl of Mar to surrender it, consented to put the person of the young prince in his hands, and immediately bestowed the government of that important fortress upon Bothwell[c]. So many steps in her conduct, inconsistent with all the rules of prudence and of decency, must be imputed to an excess either of folly or of love. Mary's known character fully vindicates her from the former; of the latter, many and striking proofs soon appeared.

Mary continues to favour him.

March 19.

No direct evidence had yet appeared against Bothwell; but, as time might bring to light the circumstances of a crime in which so many accomplices were concerned, it was of great importance to hurry over the trial, while nothing more than general suspicions, and uncertain surmises, could be produced by his accusers. For this reason, in a meeting of privy council held on the twenty-eighth of March, the twelfth of April was appointed

Hastens on his trial.

[z] Keith, 369. [a] Anders. vol. i. 23. [b] Idem, ibid. 40, etc.
[c] Anders. vol. i. Pref. 64. Keith, 379.

1567. for the day of trial. Though the law allowed, and the manner in which criminal causes were carried on in that age required, a much longer interval, it appears from several circumstances that this short space was considerably contracted, and that Lennox had only eleven days' warning to prepare for accusing a person so far superior to himself both in power and in favour[d]. No man could be less in a condition to contend with an antagonist who was thus supported. Though Lennox's paternal estate had been restored to him when he was recalled into Scotland, it seems to have been considerably impaired during his banishment. His vassals, while he resided in England, had been accustomed to some degree of independence, and he had not recovered that ascendant over them, which a feudal chief usually possessed. He had no reason to expect the concurrence of any of those factions into which the nobles were divided. During the short period of his son's prosperity, he had taken such steps as gave rise to an open breach with Murray and all his adherents. The partisans of the house of Hamilton were his hereditary and mortal enemies. Huntly was linked in the closest confederacy with Bothwell; and thus, to the disgrace

[d] The act of privy council, appointing the day of Bothwell's trial, bears date March the twenty-eighth, which happened on a Thursday. Anders. vol. i. 56. The queen's warrant to the 'messengers,' empowering them to summon Lennox to be present, is dated on the twenty-ninth. Anders. vol. ii. 97. He was summoned by public proclamation at the cross of Edinburgh on the same day. Ibid. 100. He was summoned at his dwelling-houses in Glasgow and Dumbarton the thirtieth of March, the first and second days of April. Ibid. 101. He was summoned at Perth, April the first. Ibid. 102. Though Lennox resided at that time forty miles from Edinburgh, the citation might have been given him sooner. Such an unnecessary delay affords some cause for suspicion. It is true, Mary, in her letter, March the twenty-fourth, invited Lennox to come to Edinburgh the ensuing week; this gave him warning some days sooner, that she intended to bring on the trial without delay. But the precise time could not be legally or certainly known to Lennox sooner than ten or twelve days before the day on which he was required to appear. By the law and practice of Scotland, at that time, parties were summoned, in cases of treason, forty days previous to the trial.

of the nation, Lennox stood alone in a cause where both honour and humanity called so loudly on his countrymen to second him. 1567.

It is remarkable too, that Bothwell himself was present, and sat as a member in that meeting of privy council which gave directions with regard to the time and manner of his own trial; and he still enjoyed not only full liberty, but was received into the queen's presence with the same distinguished familiarity as formerly [e].

Lennox craves a delay.

Nothing could be a more cruel disappointment to the wishes and resentment of a father, than such a premature trial; every step towards which seemed to be taken by directions from the person who was himself accused of the crime, and calculated on purpose to conceal rather than to detect his guilt. Lennox foresaw what would be the issue of this mock inquiry, and with how little safety to himself, or success to his cause, he could venture to appear on the day prefixed. In his former letters, though under expressions the most respectful, some symptoms of his distrusting the queen may be discovered. He spoke out now in plain language. He complained of the injury done him, by hurrying on the trial with such illegal precipitation. He represented once more the indecency of allowing Bothwell not only to enjoy personal liberty, but to retain his former influence over her councils. He again required her, as she regarded her own honour, to give some evidence of her sincerity in prosecuting the murder, by confining the person who was on good grounds suspected to be the author of it; and, till that were done, he signified his own resolution not to be present at a trial, the manner and circumstances of which were so irregular and unsatisfactory [f].

Applies for this purpose to Elizabeth.

He seems, however, to have expected little success from this application to Mary; and, therefore, at the

[e] Anders. vol. i. 50. 52. [f] Idem, vol. i. 52.

1567. same time besought Elizabeth to interpose, in order to obtain such a delay as he demanded [g]. Nothing can be a stronger proof how violently he suspected the one queen, than his submitting to implore the aid of the other, who had treated his son with the utmost contempt, and himself and family with the greatest rigour. Elizabeth, who was never unwilling to interpose in the affairs of Scotland, wrote instantly to Mary, advised her to delay the trial for some time, and urged in such strong terms the same arguments which Lennox had used, as might have convinced her to what an unfavourable construction her conduct would be liable, if she persisted in her present method of proceeding [h].

The trial proceeds.

Neither her entreaties, however, nor those of Lennox, could prevail to have the trial put off. On the day appointed Bothwell appeared, but with such a formidable retinue, that it would have been dangerous to condemn, and impossible to punish him. Besides a numerous body of his friends and vassals, assembled, according to custom, from different parts of the kingdom, he was attended by a band of hired soldiers, who marched with flying colours along the streets of Edinburgh [i]. A court of justice was held with the accustomed formalities. An indictment was presented against Bothwell, and Lennox was called upon to make good his accusation. In his name appeared Robert Cunningham, one of his dependents. He excused his master's absence, on account of the shortness of the time, which prevented his assembling his friends and vassals, without whose assistance he could not with safety venture to set himself in opposition to such a powerful antagonist. For this reason, he desired the court to stop proceeding, and protested, that any sentence which should be passed at that time ought to be deemed illegal and void. Bothwell, on the other hand, insisted that the

[g] Good. vol. ii. 352. [h] Anders. Pref. 60. See Appendix, No. XIX.
[i] Anders. vol. i. 135.

court should instantly proceed to trial. One of Lennox's own letters, in which he craved of the queen to prosecute the murderers without delay, was produced. Cunningham's objections were overruled; and the jury, consisting of peers and barons of the first rank, found Bothwell not guilty of the crime. 1567.

No person appeared as an accuser, not a single witness was examined, nor any evidence produced against him. The jury, under these circumstances, could do nothing else but acquit him. Their verdict, however, was far from gratifying the wishes, or silencing the murmurs, of the people. Every circumstance in the trial gave grounds for suspicion, and excited indignation; and the judgment pronounced, instead of being a proof of Bothwell's innocence, was esteemed an argument of his guilt. Pasquinades and libels were affixed to different places, expressing the sentiments of the public with the utmost virulence of language. Bothwell is acquitted.

The jury themselves seem to have been aware of the censure to which their proceedings would be exposed; and, at the same time that they returned their verdict acquitting Bothwell, the earl of Caithness protested, in their name, that no crime should be imputed to them on that account, because no accuser had appeared, and no proof was brought of the indictment. He took notice, likewise, that the ninth instead of the tenth of February was mentioned in the indictment, as the day on which the murder had been committed; a circumstance which discovers the extreme inaccuracy of those who prepared the indictment; and at a time when men were disposed, and not without reason, to be suspicious of every thing, this small matter contributed to confirm and to increase their suspicions[k].

Even Bothwell himself did not rely on the judgment which he had obtained in his favour, as a full vindication of his innocence. Immediately after his acquittal,

[k] Bothw. Trial, Anders. vol. ii. 97, etc.

1567. he, in compliance with a custom which was not then obsolete, published a writing, in which he offered to fight in single combat any gentleman of good fame, who should presume to accuse him of being accessory to the murder of the king.

Mary, however, continued to treat him as if he had been cleared by the most unexceptionable and satisfactory evidence. The ascendant he had gained over her heart, as well as over her councils, was more visible than ever; and Lennox, who could not expect that his own person could be safe in a country where the murderer of his son had been absolved, without regard to justice, and loaded with honours, in contempt of decency, fled with precipitation towards England [l].

A parliament held April 14.

Two days after the trial, a parliament was held, at the opening of which the queen distinguished Bothwell, by appointing him to carry the sceptre before her [m]. Most of the acts passed in this assembly were calculated on purpose to strengthen his party, and to promote his designs. He obtained the ratification of all the possessions and honours which the partiality of the queen had conferred upon him; and the act to that effect contained the strongest declarations of his faithful services to the crown in all times past. The surrender of the castle of Edinburgh by Mar was confirmed. The law of attainder against Huntly was repealed, and he and his adherents were restored to the estates and honours of their ancestors. Several of those who had been on the jury which acquitted Bothwell, obtained ratifications of the grants made in their favour; and as pasquinades daily multiplied, a law passed, whereby those into whose hands any paper of that kind fell, were commanded instantly to destroy it; and if, through their neglect, it should be allowed to spread, they were subjected to a capital punishment, in the same manner as if they had been the original authors [n].

[l] Keith, 378. note (d). [m] Idem, ibid. [n] Ibid. 380.

But the absolute dominion which Bothwell had acquired over Mary's mind appeared in the clearest manner, by an act in favour of the protestant religion, to which at this time she gave her assent. Mary's attachment to the Romish faith was uniform and superstitious; she had never laid aside the design, nor lost the hopes, of restoring it. She had of late come under new engagements to that purpose, and in consequence of these had ventured upon some steps more public and vigorous than any she had formerly taken. But though none of these circumstances were unknown to Bothwell, there were powerful motives which prompted him at this juncture to conciliate the good-will of the protestants, by exerting himself in order to procure for them some additional security in the exercise of their religion. That which they enjoyed at present was very precarious, being founded entirely on the royal proclamation issued soon after the arrival of the queen in Scotland, which in express terms was declared to be only a temporary regulation. From that period, neither the solicitations of the general assemblies of the church, nor the entreaties of her people, could extort from Mary any concession in favour of the protestant religion, on which the professors might rest with greater confidence. This, however, by the more powerful influence of Bothwell, they now obtained. An act was passed in this parliament, repealing all the laws, canon, civil, and municipal, adverse to the reformed religion, and exempting such as had embraced it from the penalties to which they might have been subjected by these laws, either on account of their past conduct or present profession; declaring at the same time that their persons, estates, honours, and benefices, were taken under public protection against every court, civil or ecclesiastical, that might attempt to molest them on account of their religious sentiments. Thus the protestants, instead of holding their sacred rights by no better tenure than a declaration of royal indulgence, which might be revoked

1567.

Remarkable law in favour of the reformation.

1567. at pleasure, obtained legal and parliamentary protection in the exercise of their religion. By prevailing on the queen to assent to this law, Bothwell seems to have flattered himself that he would acquire such merit both with the clergy and with the people, as might induce them to favour his ambitious schemes, and to connive at what he had done, or might do, in order to accomplish them. The protestants accordingly, though this act was far from amounting to a legal establishment of the reformed faith, seem to have considered it as an additional security of such importance, that it was published among the laws enacted in a parliament held towards the close of this year, under very different leaders [o].

[o] I am indebted to the accuracy of sir David Dalrymple, for pointing out (Remarks on the History of Scotland, ch. 9,) a considerable errour into which I had fallen with respect to this act, by supposing it to be so favourable to the doctrine of the reformation, that the parliament which met December the fifteenth, could substitute nothing stronger or more explicit in its place, and thought it sufficient to ratify it word for word. This errour I have now corrected; but, after considering the act with particular attention, though I am satisfied that it neither established the reformed religion or the religion of the state, nor abolished popery, yet it granted such new and legal security to the protestants, as was deemed, in that age, an acquisition of great value. The framers of the law seem manifestly to have viewed it in that light. After reciting, "that the queen, since her arrival, had attempted nothing contrary to the state of religion which she found publicly and universally standing, on which account she was most worthy to be served, honoured, and obeyed," etc. the act goes on, "that as she intends to continue the same goodness and government in all times coming, the professors of the religion aforesaid may and shall have occasion to praise God for her happy and gracious government, etc: and to effect that, the professors of the religion aforesaid may assure themselves to be in full surety thereof, and of their lands, lives, etc. and may with the better will jeopard and hazard their lives and goods in her highness's service, against all enemies to her, and to the commonweal of this realm, etc. Therefore our sovereign, with the advice of the whole estates in parliament," etc. Then follow the statutory clauses mentioned in the text. The intention of passing the act is apparent, and it is drawn with great art. This art is peculiarly manifest in the concluding clause. In her first proclamation the queen had declared, that it should continue in force only until she should take final order concerning religion with the advice of parliament. In this act the intention of taking further order concerning religion is mentioned, probably with

Every step taken by Bothwell had hitherto been attended with all the success which his most sanguine 1567. Bothwell prevails on

a view to please the queen; but it is worded with such studied dexterity, that the protection granted by this law is no longer to be regarded as temporary, or depending upon the queen taking such final order. Parl. 1. K. Ja. VI. c. 31. In the same light of an important acquisition of security to the reformed religion, this act is represented by the privy council in a proclamation issued May the twenty-third, 1567. Keith, 571. Mary's principal adherents, in a paper subscribed by them, September the twelfth, 1568, declare, that she, "by the advice of the three estates, had satisfied the desire of the whole nobility in an act concerning all the points of religion passed in the parliament held April, 1567." Goodall, ii. 357. The same is asserted to be the intention and effect of this act in another public paper in the year 1570. Haynes, 621. This act is perfectly conformable to that system of policy by which Bothwell seems to have regulated his conduct both before and after this time, with a view of gaining the protestants, particularly the clergy, by acts of indulgence and favour. On the third of October, 1566, when Bothwell's credit was very considerable, the queen, in a meeting of privy council, where he was present, took measures for securing to the protestant clergy more regular payment of their stipends; and on the twentieth of December of that year, granted an assignation of a considerable sum to be applied for the support of the ministry. Keith, 360, 361, 362. In a meeting of privy council, January the tenth, 1567, when all public transactions were entirely conducted by Bothwell, an act was passed in order to provide for the sustentation of ministers in boroughs, and Bothwell is named as one of the commissioners for carrying it into execution, with power to impose a tax on such boroughs as had no ministers, for raising a stipend. Keith, 570. In another meeting of privy council, May the twenty-third, 1567, the queen, after mentioning the declaration which she had made in the year 1561, of her resolution to maintain that religion which she found established in the kingdom, and after taking notice of what additional security it had acquired by the late act of April the nineteenth, with a view of giving still farther satisfaction to the protestants, she declared that all licenses which had been obtained from her by any persons, permitting them to exercise the rites of popish worship, were now revoked and annulled. Keith, 570—572. It deserves to be remarked, that, favourable as all these acts were to the reformation, some bishops, 'whose ardent zeal for the old doctrines history records,' were present in those meetings of privy council in which they were passed. From considering all these particulars, one need not wonder that a law "anent cassing, (as its title bears,) annulling, and abrogating of all laws, acts, and constitutions, canone, civile, and municipal, with other constitutions, contrare to the religion now professit within the realme," confirmed by the royal assent of the queen, should be published among the statutes securing the protestant religion. We find, accordingly, in a very rare edition of the acts of parliament, im-

1567. wishes could expect. He had entirely gained the queen's heart; the murder of the king had excited no public commotion; he had been acquitted by his peers of any share in that crime; and their decision had been in some sort ratified in parliament. But in a kingdom where the regal authority was so extremely limited, and the power of the nobles so formidable, he durst not venture on the last action, towards which all his ambitious projects tended, without their approbation. In order to secure this, he, immediately after the dissolution of parliament, invited all the nobles who were present to an entertainment. Having filled the house with his friends and dependents, and surrounded it with armed men[p], he opened to the company his intention of marrying the queen, whose consent, he told them, he had already obtained; and demanded their approbation of this match, which, he said, was no less acceptable to their sovereign, than honourable to himself[q]. Huntly and Seaton, who were privy to all Bothwell's schemes, promoted them with the utmost zeal; and the popish ecclesiastics, who were absolutely devoted to the queen, and ready to sooth all her passions, instantly declared their satisfaction with what he had proposed. The rest, who dreaded the exorbitant power which Bothwell had acquired, and observed the queen's growing affection towards him in all her actions, were willing to make a merit of yielding to a measure which they could neither oppose nor defeat. Some few were confounded and enraged. But in the end Bothwell, partly by promises and flattery, partly by terrour and force, prevailed on all who were present to subscribe a paper which leaves a deeper stain than any occurrence in that age on the honour and character of the nation.

the nobles to recommend him as an husband to the queen.

April 19.

This paper contained the strongest declarations of

printit at Edinburgh by Robert Lekprevik, printar to the king's majestie, 6 day of April, 1568, the act of April 19, inserted among the acts of the regent's parliament in December.

[p] Good. vol. ii. 141. [q] Anders. vol. i. 94.

Bothwell's innocence, and the most ample acknowledg- 1567.
ment of his good services to the kingdom. If any future accusation should be brought against him on account of the king's murder, the subscribers promised to stand by him as one man, and to hazard their lives and fortunes in his defence. They recommended him to the queen as the most proper person she could choose for an husband: and if she should condescend to bestow on him that mark of her regard, they undertook to promote the marriage, and to join him with all their forces in opposing any person who endeavoured to obstruct it[r]. Among the subscribers of this paper we find some who were the queen's chief confidents, others who were strangers to her councils, and obnoxious to her displeasure; some who faithfully adhered to her through all the vicissitudes of her fortune, and others who became the principal authors of her sufferings; some passionately attached to the Romish superstition, and others zealous advocates for the protestant faith[s]. No common interest can be supposed to have united men of such opposite principles and parties, in recommending to their sovereign a step so injurious to her honour, and so fatal to her peace. This strange coalition was the effect of much artifice, and must be considered as the boldest and most masterly stroke of Bothwell's address. It is observable, that amidst all the altercations and mutual reproaches of the two parties which arose in the kingdom, this unworthy transaction is seldom mentioned. Conscious on both sides, that, in this particular, their conduct could ill bear examination, and would redound little to their fame, they always touch upon it unwillingly, and with a tender hand, seeming desirous that it should remain in darkness, or be buried in oblivion. But as so many persons who, both at that time and ever after, possessed the queen's favour, subscribed this paper, the sus-

[r] Anders. vol. i. 177. [s] Keith, 382.

1567. picion becomes strong, that Bothwell's ambitious hopes were neither unknown to Mary, nor disapproved by her[t].

These suspicions are confirmed by the most direct proof. Melvil at that time enjoyed a considerable share in her favour. He, as well as his brother, kept a secret correspondence in England with those who favoured her pretensions to that crown. The rumour of her intended marriage with Bothwell having spread early in that kingdom, excited universal indignation; and Melvil received a letter from thence, which represented, in the strongest terms, what would be the fatal effects of such an imprudent step. He put this letter into the queen's hands, and enforced it with the utmost warmth. She not only disregarded these remon-

[t] Of all the different systems with regard to this transaction, that of Camden seems to be the least accurate, and the worst founded. He supposes that Bothwell was hated by Murray, Morton, etc. who had been his associates in the murder of the king, and that they now wanted to ruin him. He affirms, at the same time, that the subscriptions to this paper were obtained by them out of fear that Bothwell might sink in his hopes, and betray the whole bloody secret, 404. But besides the absurdity of supposing that any man's enemies would contribute towards raising him to such high dignity, on the uncertain hopes of being able afterwards to deprive him of it; besides the impossibility of accomplishing such a marriage, if it had been either unknown to the queen, or disagreeable to her; we may observe that this supposition is destroyed by the direct testimony of the queen herself, who ascribes the consent of the nobles to Bothwell's artifices, "who purchased it by giving them to understand that we were content therewith." Anders. vol. i. 94. 99. It would have been no small advantage to Mary, if she could have represented the consent of the nobles to have been their own voluntary deed. It is still more surprising to find Lesley ascribing this paper to Murray and his faction. Anders. vol. i. 26. The bishop himself was one of the persons who subscribed it. Keith, 383. The king's commissioners, at the conference held at York, 1568, pretended that none of the nobles, except the earl of Huntly, would subscribe this paper till a warrant from the queen was produced, by which they were allowed to do so; this warrant they had in their custody, and exhibited. Anders. vol. iv. part 2. 5. This differs from Buchanan's account, who supposes that all the nobles present subscribed the paper on the nineteenth, and that next day they obtained the approbation of what they had done, by way of security to themselves, 355.

strances, but communicated the matter to Bothwell; and Melvil, in order to save his life, was obliged to fly from court, whither he durst not return till the earl's rage began to abate[u]. At the same time Elizabeth warned Mary of the danger and infamy to which she would expose herself by such an indecent choice; but an advice from her met with still less regard[x]. 1567.

Three days after the rising of parliament Mary went from Edinburgh to Stirling, in order to visit the prince her son. Bothwell had now brought his schemes to full maturity; and every precaution being taken which could render it safe to enter on the last and decisive step, the natural impetuosity of his spirit did not suffer him to deliberate any longer. Under pretence of an expedition against the freebooters on the borders, he assembled his followers; and marching out of Edinburgh with a thousand horse, turned suddenly towards Linlithgow, met the queen on her return near that place, dispersed her slender train without resistance, seized on her person, and conducted her, together with a few of her courtiers, as a prisoner to his castle of Dunbar. She expressed neither surprise, nor terrour, nor indignation, at such an outrage committed on her

Bothwell carries the queen by force to Dunbar.

April 24.

[u] Melv. 156. According to Melvil, lord Herries likewise remonstrated against the marriage, and conjured the queen, on his knees, to lay aside all thoughts of such a dishonourable alliance, 166. But it has been observed that Herries is one of the nobles who subscribed the bond, April 19. Keith, 383. 2. That he is one of the witnesses to the marriage articles between the queen and Bothwell, May 14. Good. vol. ii. 61. 3. That he sat in council with Bothwell, May 17. Keith, 386. But this remonstrance of lord Herries against the marriage happened before those made by Melvil himself, 157. Melvil's remonstrance must have happened some time before the meeting of parliament; for, after offending Bothwell, he retired from court; he allowed his rage time to subside, and had again joined the queen when she was seized, April 24. 158. The time which must have elapsed, by this account of the matter, was perhaps sufficient to have gained Herries from being an opposer to become a promoter of the marriage. Perhaps Melvil may have committed some mistake with regard to this fact, so far as relates to lord Herries. He could not well be mistaken with regard to what himself did.

[x] Anders. vol. i. 106.

1567. person, and such an insult offered to her authority, but seemed to yield without struggle or regret[y]. Melvil was at that time one of her attendants; and the officer by whom he was seized informed him, that nothing was done without the queen's own consent[z]. If we may rely on the letters published in Mary's name, the scheme had been communicated to her, and every step towards it was taken with her participation and advice[a].

Both the queen and Bothwell thought it of advantage to employ this appearance of violence. It afforded her a decent excuse for her conduct; and while she could plead that it was owing to force rather than choice, she hoped that her reputation, among foreigners at least, would escape without censure, or be exposed to less reproach. Bothwell could not help distrusting all the methods which had hitherto been used for vindicating him from any concern in the murder of the king. Something was still wanting for his security, and for quieting his guilty fears. This was a pardon under the great seal. By the laws of Scotland the most heinous crime must be mentioned by name in a pardon, and then all lesser offences are deemed to be included under the general clause, "and all other crimes whatsoever[b]." To seize the person of the prince is high treason; and Bothwell hoped that a pardon obtained for this would extend to every thing of which he had been accused[c].

Is divorced from his own wife.

Bothwell having now got the queen's person into his hands, it would have been unbecoming either a politician or a man of gallantry to have delayed consummating his schemes. The first step towards this was to have his marriage with lady Jane Gordon, the earl of Huntly's sister, dissolved. In order to accomplish that, in a manner consistent with the ideas of the queen on one hand, and with the sentiments of his

[y] Keith, 383. [z] Melv. 158. [a] Good. vol. ii. 37.
[b] Parl. 6 Jac. IV. c. 62. [c] Anders. vol. iv. part ii. 61.

countrymen on the other, two different processes became necessary; one founded on the maxims of the canon law, the other accommodated to the tenets of the reformed church. Bothwell accordingly commenced a suit, in his own name, in the spiritual court of the archbishop of St. Andrew's, the jurisdiction of which the queen had restored, by a special commission granted for this purpose, and pleaded that lady Jane and himself, being cousins within the prohibited degrees, and having married without a papal dispensation, their union was null from the beginning[d]. At the same time he prevailed with lady Jane to apply to the protestant court of commissaries for a divorce, on account of his having been guilty of adultery. The influence of Bothwell was of equal weight in both courts. In the course of four days, with the same indecent and suspicious precipitancy, the one declared the marriage to be illegal and null, the other pronounced a sentence of divorce[e]. 1567. April 27.

While this infamous transaction was carrying on, the queen resided at Dunbar, detained as a prisoner, but treated with the greatest respect. Soon after, Bothwell, with a numerous train of his dependents, con- May 3.

[d] In her own time, it was urged as an aggravation of the queen's guilt, that she gave her consent to marry the husband of another woman; and the charge has been often repeated since. But, according to Mary's own ideas, consonant to the principles of her religion, the marriage of Bothwell with lady Jane Gordon was unlawful and void, and she considered them as living together not in the hallowed bonds of matrimony, but in a state of criminal intercourse. Bothwell's addresses, which struck her protestant subjects not only as indecent but flagitious, could not appear in the same light to her; and this may be pleaded in extenuation of the crime imputed to her of having listened to them. But it will not exempt her from the charge of great imprudence in this unfortunate step. Mary was well acquainted with the ideas of her subjects, and knew what they would think of her giving ear for a moment to the courtship of a man lately married under her own eye in the church of her palace. Appendix, No. XX. Every consideration should have restrained her from forming this union, which to her people must have appeared odious and shocking. Remarks on the History of Scotland, p. 199, etc.

[e] Anders. i. 132. Appendix, No. XX.

1567. ducted her to Edinburgh; but, instead of lodging her in the palace of Holyrood house, he conveyed her to the castle, of which he was governor. The discontent of the nation rendered this precaution necessary. In an house unfortified, and of easy access, the queen might have been rescued without difficulty out of his hands. In a place of strength she was secured from all the attempts of his enemies.

One small difficulty still remained to be surmounted. As the queen was kept in a sort of captivity by Bothwell, a marriage concluded in that condition might be imputed to force, and be held invalid. In order to obviate this, Mary appeared in the court of session, and in presence of the chancellor and other judges, and several of the nobility, declared that she was now at full liberty; and though Bothwell's violence in seizing her person had at first excited her indignation, yet his respectful behaviour since that time had not only appeased her resentment, but determined her to raise him to higher honours[f].

Is married to the queen.

What these were, soon became public. The title of duke of Orkney was conferred upon Bothwell; and on the fifteenth of May his marriage with the queen, which had so long been the object of his wishes, and the motives of his crimes, was solemnized. The ceremony was performed in public, according to the rites of the protestant church, by Adam Bothwell, bishop of Orkney, one of the few prelates who had embraced the reformation, and on the same day was celebrated in private, according to the forms prescribed by the popish religion[g]. The boldness with which Craig, the minister who was commanded to publish the banns, testified against the design; the small number of the nobles who were present at the marriage; and the sullen and disrespectful silence of the people when the queen appeared in public; were manifest symptoms of

[f] Anders. i. 87.

[g] Ibid. 136. ii. 276.

the violent and general dissatisfaction of her own subjects. The refusal of le Croc, the French ambassador, to be present at the nuptial ceremony or entertainment, discovers the sentiments of her allies with regard to this part of her conduct; and although every other action in Mary's life could be justified by the rules of prudence, or reconciled to the principles of virtue, this fatal marriage would remain an incontestable proof of her rashness, if not of her guilt. 1567.

Mary's first care was to offer some apology for her conduct to the courts of France and England. The instructions to her ambassadors still remain, and are drawn by a masterly hand. But, under all the artificial and false colouring she employs, it is easy to discover, not only that many of the steps she had taken were unjustifiable, but that she herself was conscious that they could not be justified[h].

The title of king was the only thing which was not bestowed upon Bothwell. Notwithstanding her attachment to him, Mary remembered the inconveniencies which had arisen from the rash advancement of her former husband to that honour. She agreed, however, that he should sign, in token of consent, all the public writs issued in her name[i]. But, though the queen withheld from him the title of king, he possessed, nevertheless, regal power in its full extent. The queen's person was in his hands; she was surrounded more closely than ever by his creatures; none of her subjects could obtain audience without his permission; and, unless in his own presence, none but his confidents were permitted to converse with her[k]. The Scottish monarchs were accustomed to live among their subjects as fathers or as equals, without distrust, and with little state; armed guards standing at the doors of the royal apartment, difficulty of access, distance and retirement, were things unknown and unpopular.

[h] Anders. i. 89. [i] Good. ii. 60. [k] Anders. i. 136.

1567. These precautions were necessary for securing to Bothwell the power which he had acquired. But, without being master of the person of the young prince, he esteemed all that he had gained to be precarious and uncertain. The queen had committed her son to the care of the earl of Mar. The fidelity and loyalty of that nobleman were too well known to expect that he would be willing to put the prince into the hands of the man who was so violently suspected of having murdered his father. Bothwell, however, laboured to get the prince into his power, with an anxiety which gave rise to the blackest suspicions. All his address, as well as authority, were employed to persuade, or to force Mar into a compliance with his demands[1]. And it is no slight proof, both of the firmness and dexterity of that nobleman, that he preserved a life of so much importance to the nation, from being in the power of a man, whom fear or ambition might have prompted to violent attempts against it.

Endeavours to become master of the prince's person.

The eyes of the neighbouring nations were fixed, at that time, upon the great events which had happened in Scotland during three months; a king murdered with the utmost cruelty, in the prime of his days, and in his capital city; the person suspected of that odious crime suffered not only to appear publicly in every place, but admitted into the presence of the queen, distinguished by her favour, and intrusted with the chief direction of her affairs; subjected to a trial which was carried on with most shameless partiality, and acquitted by a sentence which served only to confirm the suspicions of his guilt; divorced from his wife, on pretences frivolous or indecent; and, after all this, instead of meeting with the ignominy due to his actions, or the punishment merited by his crimes, permitted openly, and without opposition, to marry a queen, the wife of the prince whom he had assassinated, and the guardian

General indignation which the queen's conduct excited.

[1] Melv. 160. Buch. 361.

of those laws which he had been guilty of violating. 1567.
Such a quick succession of incidents, so singular and so detestable, in the space of three months, is not to be found in any other history. They left, in the opinion of foreigners, a mark of infamy on the character of the nation. The Scots were held in abhorrence all over Europe; they durst hardly appear any where in public; and, after suffering so many atrocious deeds to pass with impunity, they were universally reproached as men void of courage, or of humanity, as equally regardless of the reputation of their queen and the honour of their country [m].

The nobles combine against her and Bothwell.

These reproaches roused the nobles, who had been hitherto amused by Bothwell's artifices, or intimidated by his power. The manner in which he exercised the authority which he had acquired, his repeated attempts to become master of the prince's person, together with some rash threatenings against him, which he let fall [n], added to the violence and promptitude of their resolutions. A considerable body of them assembled at Stirling, and entered into an association for the defence of the prince's person. Argyll, Athol, Mar, Morton, Glencairn, Home, Lindsay, Boyd, Murray of Tullibardin, Kirkaldy of Grange, and Maitland the secretary, were the heads of this confederacy [o]. Stewart, earl of Athol, was remarkable for an uniform and bigoted attachment to popery; but his indignation on account of the murder of the king, to whom he was nearly allied, and his zeal for the safety of the prince, overcame, on this occasion, all considerations of religion, and united him with the most zealous protestants. Several of the other nobles acted, without question, from a laudable concern for the safety of the prince and the honour of their country. But the spirit which some of them discovered during the subsequent revolutions leaves little

[m] Anders. vol. i. 128. 134. Melv. 163. See Appendix, No. XXI.
[n] Melv. 161. [o] Keith, 394.

1567. room to doubt, that ambition or resentment were the real motives of their conduct; and that, on many occasions, while they were pursuing ends just and necessary, they were actuated by principles and passions altogether unjustifiable.

The first accounts of this league filled the queen and Bothwell with great consternation. They were no strangers to the sentiments of the nation with respect to their conduct; and though their marriage had not met with public opposition, they knew that it had not been carried on without the secret disgust and murmurings of all ranks of men. They foresaw the violence with which this indignation would burst out,
May 28. after having been so long suppressed; and, in order to prepare for the storm, Mary issued a proclamation, requiring her subjects to take arms, and to attend her husband by a day appointed. At the same time she published a sort of manifesto, in which she laboured to vindicate her government from those imputations with which it had been loaded, and employed the strongest terms to express her concern for the safety and welfare of the prince her son. Neither of these produced any considerable effect. Her proclamation was ill obeyed, and her manifesto met with little credit[p].

The queen and Bothwell retire to Dunbar. The confederate lords carried on their preparations with no less activity, and with much more success. Among a warlike people, men of so much power and popularity found it an easy matter to raise an army. They were ready to march, before the queen and Bothwell were in a condition to resist them. The castle of Edinburgh was the place whither the queen ought naturally to have retired, and there her person might have been perfectly safe. But the confederates had fallen on means to shake or corrupt the fidelity of sir James Balfour, the deputy governor, and Bothwell
June 6. durst not commit to him such an important trust. He

[p] Keith, 387. 395, 396.

conducted the queen to the castle of Borthwick; and on the appearance of lord Home, with a body of his followers, before that place, he fled with precipitation to Dunbar, and was followed by the queen disguised in men's clothes. The confederates advanced towards Edinburgh, where Huntly endeavoured, in vain, to animate the inhabitants to defend the town against them. They entered without opposition, and were instantly joined by many of the citizens, whose zeal became the firmest support of their cause [q]. 1567.

In order to set their own conduct in the most favourable light, and to rouse the public indignation against Bothwell, the nobles published a declaration of the motives which had induced them to take arms. All Bothwell's past crimes were enumerated, all his wicked intentions displayed and aggravated, and every true Scotchman was called upon to join them in avenging the one and in preventing the other [r].

Meanwhile, Bothwell assembled his forces at Dunbar; and as he had many dependents in that corner, he soon gathered such strength, that he ventured to advance towards the confederates. Their troops were not numerous; the suddenness and secrecy of their enterprise gave their friends at a distance no time to join them; and, as it does not appear that they were supported either with money, or fed with hopes, by the queen of England, they could not have kept long in a body. But, on the other hand, Bothwell durst not risk a delay [s]. His army followed him with reluctance in this quarrel, and served him with no cordial affection; so that his only hope of success was in surprising the enemy, or in striking the blow before his own troops had leisure to recollect themselves, or to imbibe the same unfavourable opinion of his actions, which had spread over the rest of the nation. These

[q] Keith, 398. [r] Anders. vol. i. 128. [s] Keith, 401.

1567. motives determined the queen to march forward with an inconsiderate and fatal speed.

The nobles march against them. July 15.

On the first intelligence of her approach, the confederates advanced to meet her. They found her forces drawn up almost on the same ground which the English had occupied before the battle of Pinkie. The numbers on both sides were nearly equal; but there was no equality in point of discipline. The queen's army consisted chiefly of a multitude, hastily assembled, without courage or experience in war. The troops of the confederates were composed of gentlemen of rank and reputation, followed by their most trusty dependents, who were no less brave than zealous[t].

An accommodation attempted.

Le Croc, the French ambassador, who was in the field, laboured, by negotiating both with the queen and the nobles, to put an end to the quarrel without the effusion of blood. He represented to the confederates the queen's inclinations towards peace, and her willingness to pardon the offences which they had committed. Morton replied with warmth, that they had taken arms not against the queen, but against the murderer of her husband; and if he were given up to justice, or banished from her presence, she should find them ready to yield the obedience which is due from subjects to their sovereign. Glencairn added, that they did not come to ask pardon for any offence, but to punish those who had offended. Such haughty answers convinced the ambassador that his mediation would be ineffectual, and that their passions were too high to allow them to listen to any pacific propositions, or to think of retreating after having proceeded so far[u].

The queen's army was posted to advantage on a rising ground. The confederates advanced to the attack resolutely, but slowly, and with the caution which was

[t] Cald. vol. ii. 48, 49. [u] Keith, 401.

natural on that unhappy field. Her troops were alarmed at their approach, and discovered no inclination to fight. Mary endeavoured to animate them; she wept, she threatened, she reproached them with cowardice, but all in vain. A few of Bothwell's immediate attendants were eager for the encounter; the rest stood wavering and irresolute, and some began to steal out of the field. Bothwell attempted to inspirit them, by offering to decide the quarrel, and to vindicate his own innocence, in single combat with any of his adversaries. Kirkaldy of Grange, Murray of Tullibardin, and lord Lindsay, contended for the honour of entering the lists against him. But this challenge proved to be a mere bravado. Either the consciousness of guilt deprived Bothwell of his wonted courage, or the queen, by her authority, forbade the combat[x]. 1567.

After the symptoms of fear discovered by her followers, Mary would have been inexcusable had she hazarded a battle. To have retreated in the face of an enemy who had already surrounded the hill on which she stood, with part of their cavalry, was utterly impracticable. In this situation, she was under the cruel necessity of putting herself into the hands of those subjects who had taken arms against her. She demanded an interview with Kirkaldy, a brave and generous man, who commanded an advanced body of the enemy. He, with the consent and in the name of the leaders of the party, promised that, on condition she would dismiss Bothwell from her presence, and govern the kingdom by the advice of her nobles, they would honour and obey her as their sovereign[y].

During this parley, Bothwell took his last farewell of the queen, and rode off the field with a few followers. This dismal reverse happened exactly one month after that marriage which had cost him so many crimes Bothwell obliged to fly.

[x] Cald. vol. ii. 50. [y] Good. vol. ii. 164. Melv. 165.

1567. to accomplish, and which leaves so foul a stain on Mary's memory.

Mary surrenders to the nobles.

As soon as Bothwell retired, Mary surrendered to Kirkaldy, who conducted her toward the confederate army, the leaders of which received her with much respect; and Morton, in their name, made ample professions of their future loyalty and obedience[z]. But she was treated by the common soldiers with the utmost insolence and indignity. As she marched along, they poured upon her all the opprobrious names which are bestowed only on the lowest and most infamous criminals. Wherever she turned her eyes, they held up before her a standard, on which was painted the dead body of the late king, stretched on the ground, and the young prince kneeling before it, and uttering these words, "Judge and revenge my cause, O Lord!" Mary turned with horrour from such a shocking sight. She began already to feel the wretched condition to which a captive prince is reduced. She uttered the most bitter complaints, she melted into tears, and could hardly be kept from sinking to the ground. The confederates conducted her towards Edinburgh; and, in spite of many delays, and after looking, with the fondness and credulity natural to the unfortunate, for some extraordinary relief, she arrived there. The streets were covered with multitudes, whom zeal or curiosity had drawn together, to behold such an unusual scene. The queen, worn out with fatigue, covered with dust, and bedewed with tears, was exposed as a spectacle to her own subjects, and led to the provost's house. Notwithstanding all her arguments and entreaties, the same standard was carried before her, and the same insults and reproaches repeated[a]. A woman, young, beautiful, and in distress, is naturally the object of compassion. The comparison of their present misery with their former splendour,

[z] Good. vol. ii. 165.

[a] Melv. 166. Buch. 364.

usually softens us in favour of illustrious sufferers. 1567.
But the people beheld the deplorable situation of their sovereign with insensibility; and so strong was their persuasion of her guilt, and so great the violence of their indignation, that the sufferings of their queen did not, in any degree, mitigate their resentment, or procure her that sympathy which is seldom denied to unfortunate princes.

THE

# HISTORY OF SCOTLAND.

## THE FIFTH BOOK.

1567. THE confederate lords had proceeded to such extremities against their sovereign, that it now became almost impossible for them either to stop short, or to pursue a course less violent. Many of the nobles had refused to concur with them in their enterprise; others openly condemned it. A small circumstance might abate that indignation with which the multitude were at present animated against the queen, and deprive them of that popular applause which was the chief foundation of their power. These considerations inclined some of them to treat the queen with great lenity.

Deliberations of the nobles concerning the queen.

But, on the other hand, Mary's affection for Bothwell continued as violent as ever; she obstinately refused to hearken to any proposal for dissolving their marriage, and determined not to abandon a man, for whose love she had already sacrificed so much[a]. If they should allow her to recover the supreme power, the first exertion of it would be to recall Bothwell; and they had reason, both from his resentment, from her conduct, and from their own, to expect the severest effects of her vengeance. These considerations surmounted every other motive; and, reckoning themselves absolved by Mary's incurable attachment to Bothwell, from the engagements which they had come under,

[a] Keith, 419. 446. 449. Melv. 167. See Appendix, No. XXII.

when she yielded herself a prisoner, they, without regarding the duty which they owed her as their queen, and without consulting the rest of the nobles, carried her next evening, under a strong guard, to the castle of Lochlevin, and signed a warrant to William Douglas, the owner of it, to detain her as a prisoner. This castle is situated in a small island in the middle of a lake. Douglas, to whom it belonged, was a near relation of Morton's, and had married the earl of Murray's mother. In this place, under strict custody, with a few attendants, and subjected to the insults of a haughty woman, who boasted daily of being the lawful wife of James the fifth, Mary suffered all the rigour and miseries of captivity[b]. 1567. They imprison her in Lochlevin.

Immediately after the queen's imprisonment the confederates were at the utmost pains to strengthen their party; they entered into new bonds of association; they assumed the title of 'lords of the secret council,' and, without any other right, arrogated to themselves the whole regal authority. One of their first acts of power was to search the city of Edinburgh for such as had been concerned in the murder of the king. This show of zeal gained reputation to themselves, and threw an oblique reflection on the queen for her remissness. Several suspected persons were seized. Captain Blackadder and three others were condemned and executed. But no discovery of importance was made. If we believe some historians, they were convicted by sufficient evidence. If we give credit to others, their sentence was unjust, and they denied, with their last breath, any knowledge of the crime for which they suffered[c].

An unexpected accident, however, put into the hands of Mary's enemies what they deemed the fullest evidence of her guilt. Bothwell having left in the castle of Edinburgh a casket, containing several sonnets and

[b] Keith, 403. note (b). [c] Cald. vol. ii. 53. Crawf. Mem. 35.

1567. letters written with the queen's own hand; he now sent one of his confidents to bring to him this precious deposite. But as his messenger returned, he was intercepted, and the casket seized by Morton[d]. The contents of it were always produced by the party, as the most ample justification of their own conduct; and to these they continually appealed, as the most unanswerable proof of their not having loaded their sovereign with the imputation of imaginary crimes[e].

Some of the nobles favour the queen.

But the confederates, notwithstanding their extraordinary success, were still far from being perfectly at ease. That so small a part of the nobles should pretend to dispose of the person of their sovereign, or to assume the authority which belonged to her, without the concurrence of the rest, was deemed by many of that body to be unprecedented and presumptuous. Several of these were now assembled at Hamilton, in order to deliberate what course they should hold in this difficult conjuncture. The confederates made some attempts towards a coalition with them, but without effect. They employed the mediation of the assembly of the church, to draw them to a personal interview at Edinburgh, but with no better success. That party, however, though its numbers were formidable, and the power of its leaders great, soon lost reputation by the want of unanimity and vigour; all its consultations evaporated in murmurs and complaints, and no scheme was concerted for obstructing the progress of the confederates[f].

Elizabeth interposes in her behalf.

There appeared some prospect of danger from another quarter. This great revolution in Scotland had been carried on without any aid from Elizabeth, and even without her knowledge[g]. Though she was far from being displeased at seeing the affairs of that king-

[d] Anders. vol. ii. 92. Good. vol. ii. 90.
[e] See Dissertation at the end of the History.
[f] Keith, 407. [g] Ibid. 415.

dom embroiled, or a rival, whom she hated, reduced to distress; she neither wished that it should be in the power of the one faction entirely to suppress the other, nor could she view the steps taken by the confederates without great offence. Notwithstanding the popular maxims by which she governed her own subjects, her notions of royal prerogative were very exalted. The confederates had, in her opinion, encroached on the authority of their sovereign, which they had no right to control, and had offered violence to her person, which it was their duty to esteem sacred. They had set a dangerous example to other subjects, and Mary's cause became the common cause of princes[h]. If ever Elizabeth was influenced with regard to the affairs of Scotland by the feelings of her heart, rather than by considerations of interest, it was on this occasion. Mary, in her present condition, degraded from her throne, and covered with the infamy attending an accusation of such atrocious crimes, could be no longer the object of Elizabeth's jealousy, either as a woman or as a queen. Sympathy with a sovereign in distress seems, for a moment, to have touched a heart not very susceptible of tender sentiments; and, while these were yet warm, she despatched Throkmorton into Scotland, with power to negotiate both with the queen and with the confederates. In his instructions there appears a remarkable solicitude for Mary's liberty, and even for her reputation; and the terms upon which she proposed to re-establish concord between the queen and her subjects, appear to be so reasonable and well-digested, as might have ensured the safety and happiness of both. Zealous as Throkmorton was to accomplish this, all his endeavours and address proved ineffectual. He found not only the confederate nobles, but the nation in general, so far alienated from the queen, and so much offended with the indecent precipitancy of her marriage

1567.

June 30.

[h] Keith, 412. 415.

1567. with the reputed murderer of her former husband, as to be incapable of listening to any proposition in her favour.

During the state of anarchy occasioned by the imprisonment of the queen, and the dissolution of the established government, which afforded such ample scope for political speculation, four different schemes had been proposed for the settlement of the nation. One, that Mary should be replaced upon the throne, but under various and strict limitations. The second, that she should resign the crown to her son, and, retiring out of the kingdom, should reside, during the remainder of her days, either in England or in France. The third, that Mary should be brought to public trial for her crimes, and, after conviction, of which no doubt was entertained, should be kept in perpetual imprisonment. The fourth, that after trial and condemnation, capital punishment should be inflicted upon her. Throkmorton, though disposed, as well by his own inclination as in conformity to the spirit of his instructions, to view matters in the light most favourable to Mary, informed his court, that the milder schemes, recommended by Maitland alone, would undoubtedly be reprobated, and one of the more rigorous carried into execution.

In justification of this rigour, the confederates maintained that Mary's affection for Bothwell was still unabated, and openly avowed by her; that she rejected with disdain every proposal for dissolving their marriage; and declared, that she would forego every comfort, and endure any extremity, rather than give her consent to that measure. While these were her sentiments, they contended, that concern for the public welfare, as well as attention to their own safety, rendered it necessary to put it out of the queen's power to restore a daring man, exasperated by recent injuries, to his former station, which must needs prove fatal to both. Notwithstanding their solicitude to conciliate the

good-will of Elizabeth, they foresaw clearly what would be the effect, at this juncture, of Throkmorton's interposition in behalf of the queen, and that she, elated with the prospect of protection, would refuse to listen to the overtures which they were about to make to her. For this reason they peremptorily denied Throkmorton access to their prisoner; and what propositions he made to them in her behalf they either refused or eluded[i]. 1567.

Meanwhile, they deliberated with the utmost anxiety concerning the settlement of the nation, and the future disposal of the queen's person. Elizabeth, observing that Throkmorton made no progress in his negotiations with them, and that they would listen to none of his demands in Mary's favour, turned towards that party of the nobles who were assembled at Hamilton, incited them to take arms in order to restore their queen to liberty, and promised to assist them in such an attempt to the utmost of her power[k]. But they discovered no greater union and vigour than formerly, and, behaving like men who had given up all concern either for their queen or their country, tamely allowed an inconsiderable part of their body, whether we consider it with respect to numbers or to power, to settle the government of the kingdom, and to dispose of the queen's person at pleasure. Many consultations were held, and various opinions arose with regard to each of these. Some seemed desirous of adhering to the plan, on which the confederacy was at first formed; and after punishing the murderers of the king, and dissolving the marriage with Bothwell; after providing for the safety of the young prince, and the security of the protestant religion; they proposed to reestablish the queen in the possession of her legal authority. The success with which their arms had been accompanied, inspired others with bolder and more desperate thoughts, and Schemes of the confederate nobles.

[i] Keith, 417. 427.

[k] See Appendix, No. XXIII.

1567. nothing less would satisfy them than the trial, the condemnation, and punishment of the queen herself, as the principal conspirator against the life of her husband and the safety of her son[l]: the former was Maitland's system, and breathed too much of a pacific and moderate spirit, to be agreeable to the temper or wishes of the party. The latter was recommended by the clergy, and warmly adopted by many laics; but the nobles durst not, or would not, venture on such an unprecedented and audacious deed[m].

They oblige the queen to resign the government.

Both parties agreed at last upon a scheme, neither so moderate as the one, nor so daring as the other. Mary was to be persuaded or forced to resign the crown; the young prince was to be proclaimed king; and the earl of Murray was to be appointed to govern the kingdom, during his minority, with the name and authority of regent. With regard to the queen's own person, nothing was determined. It seems to have been the intention of the confederates to keep her in perpetual imprisonment; but, in order to intimidate herself, and to overawe her partisans, they still reserved to themselves the power of proceeding to more violent extremes.

It was obvious to foresee difficulties in the execution of this plan. Mary was young, ambitious, high-spirited, and accustomed to command. To induce her to acknowledge her own incapacity for governing, to renounce the dignity and power which she was born to enjoy, to become dependent on her own subjects, to consent to her own bondage, and to invest those persons whom she considered as the authors of all her calamities, with that honour and authority of which she herself was stripped, were points hard to be gained. These, however, the confederates attempted, and they did not

[l] Keith, 420, 421, 422. 582.

[m] The intention of putting the queen to death seems to have been carried on by some of her subjects: at this time we often find Elizabeth boasting that Mary owed her life to her interposition. Digges's Compl. Amb. 14, etc. See Appendix, No. XVIII.

want means to ensure success. Mary had endured, for several weeks, all the hardships and terrour of a prison; no prospect of liberty appeared; none of her subjects had either taken arms, or so much as solicited her relief[n]; no person, in whom she could confide, was admitted into her presence; even the ambassadors of the French king, and queen of England, were refused access to her. In this solitary state, without a counsellor, or a friend, under the pressure of distress and the apprehension of danger, it was natural for a woman to hearken almost to any overtures. The confederates took advantage of her condition and of her fears. They employed lord Lindsay, the fiercest zealot in the party, to communicate their scheme to the queen, and to obtain her subscription to those papers which were necessary for rendering it effectual. He executed his commission with harshness and brutality. Certain death was before Mary's eyes, if she refused to comply with his demands. At the same time she was informed by sir Robert Melvil, in the name of Athol, Maitland, and Kirkaldy, the persons among the confederates who were most attentive to her interest, that a resignation extorted by fear, and granted during her imprisonment, was void in law, and might be revoked, as soon as she recovered liberty. Throkmorton, by a note which he found means of conveying to her, suggested the same thing[o]. Deference to their opinion, as well as concern for her own safety, obliged her to yield to every thing which was required, and to sign all the papers which Lindsay presented to her. By one of these she resigned the crown, renounced all share in the government of the kingdom, and consented to the coronation of the young king. By another, she appointed the earl of Murray regent, and conferred upon him all the powers and privileges of that high office. By a third, she substituted some other nobleman in

1567.

July 24.

[n] Keith, 425.

[o] Keith, 425. note (b). Melv. 169.

1567. Murray's place, if he should refuse the honour which was designed for him. Mary, when she subscribed these deeds, was bathed in tears; and while she gave away, as it were with her own hands, the sceptre which she had swayed so long, she felt a pang of grief and indignation, one of the severest, perhaps, which can touch the human heart[p].

James the sixth crowned, and Murray chosen regent.

The confederates endeavoured to give this resignation all the weight and validity in their power, by proceeding without delay to crown the young prince. The ceremony was performed at Stirling, on the twenty-ninth of July, with much solemnity, in presence of all the nobles of the party, a considerable number of lesser barons, and a great assembly of the people. From that time, all public writs were issued, and the government carried on, in the name of James the sixth[q].

No revolution so great was ever effected with more ease, or by means so unequal to the end. In a warlike age, and in less time than two months, a part of the nobles, who neither possessed the chief power, nor the greatest wealth in the nation, and who never brought three thousand men into the field, seized, imprisoned, and dethroned their queen, and, without shedding a single drop of blood, set her son, an infant of a year old, on the throne.

Reasonings of both parties.

During this rapid progress of the confederates, the eyes of all the nation were turned on them with astonishment; and various and contradictory opinions were formed concerning the extraordinary steps which they had taken.

Even under the aristocratical form of government which prevails in Scotland, said the favourers of the queen, and notwithstanding the exorbitant privileges of the nobles, the prince possesses considerable power, and his person is treated with great veneration. No encroachments should be made on the former, and no

[p] Keith, 430. Crawf. Mem. 38. [q] Keith, 437.

injury offered to the latter, but in cases where the liberty and happiness of the nation cannot be secured by any other means. Such cases seldom exist, and it belongs not to any part, but to the whole, or at least to a majority of the society, to judge of their existence. By what action could it be pretended that Mary had invaded the rights or property of her subjects; or what scheme had she formed against the liberty and constitution of the kingdom? Were fears, and suspicions, and surmises, enough to justify the imprisoning and the deposing a queen, to whom the crown descended from so long a race of monarchs? The principal author of whatever was reckoned culpable in her conduct, was now driven from her presence. The murderers of the king might have been brought to condign punishment, the safety of the prince have been secured, and the protestant religion have been established, without wresting the sceptre out of her hands, or condemning her to perpetual imprisonment. Whatever right a free parliament might have had to proceed to such a rigorous conclusion, or whatever name its determinations might have merited, a sentence of this nature, passed by a small party of the nobility, without acknowledging or consulting the rest of the nation, must be deemed a rebellion against the government, and a conspiracy against the person of their sovereign. 1667.

The partisans of the confederates reasoned very differently. It is evident, said they, that Mary either previously gave consent to the king's murder, or did afterwards approve of that horrid action. Her attachment to Bothwell, the power and honours which she has conferred upon him, the manner in which she suffered his trial to be carried on, and the indecent speed with which she married a man stained with so many crimes, raise strong suspicions of the former, and put the latter beyond all doubt. To have suffered the supreme power to continue in the hands of an ambitious man, capable of the most atrocious and desperate ac-

1567. tions, would have been disgraceful to the nation, dishonourable to the queen, and dangerous to the prince. Recourse was, therefore, had to arms. The queen had been compelled to abandon an husband so unworthy of herself. But her affection toward him still continuing unabated; her indignation against the authors of this separation being visible, and often expressed in the strongest terms; they, by restoring her to her ancient authority, would have armed her with power to destroy themselves, have enabled her to recall Bothwell, and have afforded her an opportunity of pursuing schemes fatal to the nation with greater eagerness, and with more success. Nothing, therefore, remained, but, by one bold action, to deliver themselves and their country from all future fears. The expedient they had chosen was no less respectful to the royal blood, than necessary for the public safety. While one prince was set aside as incapable of governing, the crown was placed on his head who was the undoubted representative of their ancient kings.

Whatever opinion posterity may form on comparing the arguments of the two contending parties, whatever sentiments we may entertain concerning the justice or necessity of that course which the confederates held, it cannot be denied that their conduct, so far as regarded themselves, was extremely prudent. Other expedients, less rigorous towards Mary, might have been found for settling the nation; but, after the injuries which they had already offered the queen, there was none so effectual for securing their own safety, or perpetuating their own power.

To a great part of the nation, the conduct of the confederates appeared not only wise, but just. The king's accession to the throne was every where proclaimed, and his authority submitted to without opposition. Though several of the nobles were still assembled at Hamilton, and seemed to be entering into some combination against his government, an association for

supporting it was formed, and signed by so many persons of power and influence throughout the nation, as entirely discouraged the attempt[r]. 1567.

Murray assumes the government.

The return of the earl of Murray, about this time, added strength to the party, and gave it a regular and finished form. Soon after the murder of the king, this nobleman had retired into France, upon what pretence historians do not mention. During his residence there, he had held a close correspondence with the chiefs of the confederacy, and, at their desire, he now returned. He seemed, at first, unwilling to accept the office of regent. This hesitation cannot be ascribed to the scruples either of diffidence or of duty. Murray wanted neither the abilities nor the ambition which might incite him to aspire to this high dignity. He had received the first accounts of his promotion with the utmost satisfaction; but, by appearing to continue for some days in suspense, he gained time to view with attention the ground on which he was to act; to balance the strength and resources of the two contending factions; and to examine whether the foundation on which his future fame and success must rest, were sound and firm.

Before he declared his final resolution, he waited on Mary at Lochlevin. This visit, to a sister, and a queen, in a prison, from which he had neither any intention to relieve her, nor to mitigate the rigour of her confinement, may be mentioned among the circumstances which discover the great want of delicacy and refinement in that age. Murray, who was naturally rough and uncourtly in his manner[s], expostulated so warmly with the queen concerning her past conduct, and charged her faults so home upon her, that Mary, who had flattered herself with more gentle and brotherly treatment from him, melted into tears, and abandoned herself entirely to despair[t]. This interview, from which

[r] Anders. vol. ii. 231. [s] Keith, 96. [t] Ibid. 445, 446.

1567. Murray could reap no political advantage, and wherein he discovered a spirit so severe and unrelenting, may be reckoned among the most bitter circumstances in Mary's life, and is certainly one of the most unjustifiable steps in his conduct.

Aug. 22. Soon after his return from Lochlevin, Murray accepted the office of regent, and began to act in that character without opposition.

Fate of Bothwell. Amidst so many great and unexpected events, the fate of Bothwell, the chief cause of them all, hath been almost forgotten. After his flight from the confederates, he lurked for some time among his vassals in the neighbourhood of Dunbar. But finding it impossible for him to make head, in that country, against his enemies, or even to secure himself from their pursuit, he fled for shelter to his kinsman, the bishop of Murray; and when he, overawed by the confederates, was obliged to abandon him, he retired to the Orkney isles. Hunted from place to place, deserted by his friends, and accompanied by a few retainers, as desperate as himself, he suffered, at once, the miseries of infamy and of want. His indigence forced him upon a course which added to his infamy. He armed a few small ships, which had accompanied him from Dunbar, and, attacking every vessel which fell in his way, endeavoured to procure subsistence for himself and his followers by piracy. Kirkaldy and Murray of Tullibardin were sent out against him by the confederates; and, surprising him while he rode at anchor, scattered his small fleet, took a part of it, and obliged him to fly with a single ship towards Norway. On that coast he fell in with a vessel richly laden, and immediately attacked it; the Norwegians sailed with armed boats to its assistance, and, after a desperate fight, Bothwell and all his crew were taken prisoners. His name and quality were both unknown, and he was treated at first with all the indignity and rigour which the odious crime of piracy merited. His real character was soon dis-

covered; and, though it saved him from the infamous death to which his associates were condemned, it could neither procure him liberty, nor mitigate the hardships of his imprisonment. He languished ten years in this unhappy condition; melancholy and despair deprived him of reason, and at last he ended his days, unpitied by his countrymen, and unassisted by strangers[u]. Few men ever accomplished their ambitious projects by worse means, or reaped from them less satisfaction. The early part of his life was restless and enterprising, full of danger and of vicissitudes. His enjoyment of the grandeur, to which he attained by so many crimes, was extremely short; imbittered by much anxiety, and disquieted by many fears. In his latter years, he suffered the most intolerable calamities to which the wretched are subject, and from which persons who have moved in so high a sphere are commonly exempted. 1567.

Success of the regent's administration.

The good effects of Murray's accession to the regency were quickly felt. The party forming for the queen was weak, irresolute, and disunited; and no sooner was the government of the kingdom in the hands of a man so remarkable both for his abilities and popularity, than the nobles, of whom it was composed, lost all hopes of gaining ground, and began to treat separately with the regent. So many of them were brought to acknowledge the king's authority, that scarce any appearance of opposition to the established government was left in the kingdom. Had they adhered to the queen with any firmness, it is probable, from Elizabeth's disposition at that time, that she would have afforded them such assistance as might have enabled them to face their enemies in the field. But there appeared so little vigour or harmony in their councils, that she was discouraged from espousing their cause; and the regent, taking advantage of their situation, obliged them to submit to his government, with-

[u] Melv. 168.

1567. out granting any terms, either to themselves or to the queen[x].

The regent was no less successful in his attempt to get into his hands the places of strength in the kingdom. Balfour, the deputy-governor, surrendered the castle of Edinburgh; and, as the reward of his treachery in deserting Bothwell his patron, obtained terms of great advantage to himself. The governor of Dunbar, who discovered greater fidelity, was soon forced to capitulate: some other small forts surrendered without resistance.

A parliament. Dec. 15.

This face of tranquillity in the nation encouraged the regent to call a meeting of parliament. Nothing was wanting to confirm the king's authority, and the proceedings of the confederates, except the approbation of this supreme court; and, after the success which had attended all their measures, there could be little doubt of obtaining it. The numbers that resorted to an assembly which was called to deliberate on matters of so much importance, were great. The meeting was opened with the utmost solemnity, and all its acts passed with much unanimity. Many, however, of the lords who had discovered the warmest attachment to the queen, were present. But they had made their peace with the regent. Argyll, Huntly, and Herries, acknowledged, openly in parliament, that their behaviour towards the king had been undutiful and criminal[y]. Their compliance, in this manner, with the measures of the regent's party, was either the condition on which they were admitted into favour, or intended as a proof of the sincerity of their reconcilement.

Confirms the proceedings of the confederates.

The parliament granted every thing the confederates could demand, either for the safety of their own persons, or the security of that form of government which they had established in the kingdom. Mary's resigna-

[x] Keith, 447. 450. 463.

[y] Anders. vol. iv. 153. See Appendix, No. XXIV.

tion of the crown was accepted, and declared to be valid. The king's authority, and Murray's election, were recognised and confirmed. The imprisoning the queen, and all the other proceedings of the confederates, were pronounced lawful. The letters which Mary had written to Bothwell were produced, and she was declared to be accessory to the murder of the king[z]. At the same time, all the acts of parliament of the year one thousand five hundred and sixty, in favour of the protestant religion, were publicly ratified; new statutes to the same purpose were enacted; and nothing that could contribute to root out the remains of popery, or to encourage the growth of the reformation, was neglected. 1567.

It is observable, however, that the same parsimonious spirit prevailed in this parliament, as in that of the year one thousand five hundred and sixty. The protestant clergy, notwithstanding many discouragements, and their extreme poverty, had, for seven years, performed all religious offices in the kingdom. The expedients fallen upon for their subsistence had hitherto proved ineffectual, or were intended to be so. But, notwithstanding their known indigence, and the warm remonstrances of the assembly of the church, which met this year, the parliament did nothing more for their relief, than prescribe some new regulations concerning the payment of the thirds of benefices, which did not produce any considerable change in the situation of the clergy.

A few days after the dissolution of parliament, four of Bothwell's dependents were convicted of being guilty of the king's murder, and suffered death as traitors. Their confessions brought to light many circumstances relative to the manner of committing that barbarous crime; but they were persons of low rank, and seem not to have been admitted into the secrets of the conspiracy[a]. 1568. Jan. 3.

[z] Good. vol. ii. 66. Anders. vol. ii. 206.

[a] Anders. vol. ii. 165.

1568. Notwithstanding the universal submission to the regent's authority, there still abounded in the kingdom many secret murmurs and cabals. The partisans of the house of Hamilton reckoned Murray's promotion an injury to the duke of Chatelherault, who, as first prince of the blood, had, in their opinion, an undoubted right to be regent. The length and rigour of Mary's sufferings began to move many to commiserate her case. All who leaned to the ancient opinions in religion dreaded the effects of Murray's zeal. And he, though his abilities were great, did not possess the talents requisite for soothing the rage or removing the jealousies of the different factions. By insinuation, or address, he might have gained or softened many who had opposed him; but he was a stranger to these gentle arts. His virtues were severe; and his deportment towards his equals, especially after his elevation to the regency, distant and haughty. This behaviour offended some of the nobles, and alarmed others. The queen's faction, which had been so easily dispersed, began again to gather and to unite, and was secretly favoured by some who had hitherto zealously concurred with the confederates[b].

Mary escapes from Lochlevin.

Such was the favourable disposition of the nation towards the queen, when she recovered her liberty, in a manner no less surprising to her friends, than unexpected by her enemies. Several attempts had been made to procure her an opportunity of escaping, which some unforeseen accident, or the vigilance of her keepers, had hitherto disappointed. At last, Mary employed all her art to gain George Douglas, her keeper's brother, a youth of eighteen. As her manners were naturally affable and insinuating, she treated him with the most flattering distinction; she even allowed him to entertain the most ambitious hopes, by letting fall some expressions, as if she would choose him for her

[b] Melv. 179.

husband[c]. At his age, and in such circumstances, it was impossible to resist such a temptation. He yielded, and drew others into the plot. On Sunday, the second of May, while his brother sat at supper, and the rest of the family were retired to their devotions, one of his accomplices found means to steal the keys out of his brother's chamber, and, opening the gates to the queen and one of her maids, locked them behind her, and then threw the keys into the lake. Mary ran with precipitation to the boat which was prepared for her, and, on reaching the shore, was received with the utmost joy by Douglas, lord Seaton, and sir James Hamilton, who, with a few attendants, waited for her. She instantly mounted on horseback, and rode full speed towards Niddrie, lord Seaton's seat in West-Lothian. She arrived there that night, without being pursued or interrupted. After halting three hours, she set out for Hamilton; and, travelling at the same pace, she reached it next morning. 1568.

Arrives at Hamilton, and raises a numerous army.

On the first news of Mary's escape, her friends, whom, in their present disposition, a much smaller accident would have roused, ran to arms. In a few days, her court was filled with a great and splendid train of nobles, accompanied by such numbers of followers, as formed an army above six thousand strong. In their presence she declared that the resignation of the crown, and the other deeds which she had signed during her imprisonment, were extorted from her by fear. Sir Robert Melvil confirmed her declaration; and on that, as well as on other accounts, a council of the nobles and chief men of her party pronounced all these transactions void and illegal. At the same time, an association was formed for the defence of her person and authority, and subscribed by nine earls, nine bishops, eighteen lords, and many gentlemen of distinction[d]. Among them we find several who had been present in May 8.

[c] Keith, 469. 481. note.

[d] Keith, 475.

1568. the last parliament, and who had signed the counter-association in defence of the king's government; but such sudden changes were then so common, as to be no matter of reproach.

Consternation of the regent's adherents.

At the time when the queen made her escape, the regent was at Glasgow, holding a court of justice. An event so contrary to their expectations, and so fatal to their schemes, gave a great shock to his adherents. Many of them appeared wavering and irresolute; others began to carry on private negotiations with the queen; and some openly revolted to her side. In so difficult a juncture, where his own fame, and the being of the party, depended on his choice, the regent's most faithful associates were divided in opinion. Some advised him to retire, without loss of time, to Stirling. The queen's army was already strong, and only eight miles distant; the adjacent country was full of the friends and dependents of the house of Hamilton, and other lords of the queen's faction; Glasgow was a large and unfortified town; his own train consisted of no greater number than was usual in times of peace; all these reasons pleaded for a retreat. But, on the other hand, arguments were urged of no inconsiderable weight. The citizens of Glasgow were well affected to the cause; the vassals of Glencairn, Lennox, and Semple, lay near at hand, and were both numerous and full of zeal; succours might arrive from other parts of the kingdom in a few days; in war, success depends upon reputation, as much as upon numbers; reputation is gained, or lost, by the first step one takes; on all these considerations, a retreat would be attended with all the ignominy of a flight, and would, at once, dispirit his friends, and inspire his enemies with boldness. In such dangerous exigencies as this, the superiority of Murray's genius appeared, and enabled him both to choose with wisdom and to act with vigour. He declared against retreating, and fixed his head-quarters at Glasgow. And while he amused the queen for some days, by pre-

His prudent conduct.

tending to hearken to some overtures, which she made for accommodating their differences, he was employed, with the utmost industry, in drawing together his adherents from different parts of the kingdom. He was soon in a condition to take the field; and, though far inferior to the enemy in number, he confided so much in the valour of his troops and the experience of his officers, that he broke off the negotiation, and determined to hazard a battle[e]. 1568.

At the same time, the queen's generals had commanded her army to move. Their intention was, to conduct her to Dunbarton castle, a place of great strength, which the regent had not been able to wrest out of the hands of lord Fleming, the governor; but if the enemy should endeavour to interrupt their march, they resolved not to decline an engagement. In Mary's situation, no resolution could be more imprudent. A part only of her forces was assembled. Huntly, Ogilvie, and the northern clans, were soon expected; her sufferings had removed or diminished the prejudices of many among her subjects; the address with which she surmounted the dangers that obstructed her escape, dazzled and interested the people; the sudden confluence of so many nobles added lustre to her cause; she might assuredly depend on the friendship and countenance of France; she had reason to expect the protection of England; her enemies could not possibly look for support from that quarter. She had much to hope from pursuing slow and cautious measures; they had every thing to fear. May 13.

But Mary, whose hopes were naturally sanguine, and her passions impetuous, was so elevated by her sudden transition from the depth of distress, to such an unusual appearance of prosperity, that she never doubted of success. Her army, which was almost double to the enemy in number, consisted chiefly of the Hamiltons

[e] Buchan. 369.

1568. and their dependents. Of these the archbishop of St. Andrew's had the chief direction, and hoped, by a victory, not only to crush Murray, the ancient enemy of his house, but to get the person of the queen into his hands, and to oblige her either to marry one of the duke's sons, or, at least, to commit the chief direction of her affairs to himself. His ambition proved fatal to the queen, to himself, and to his family [f].

Battle of Langside.

Mary's imprudence in resolving to fight, was not greater than the ill conduct of her generals in the battle. Between the two armies, and on the road towards Dunbarton, there was an eminence called Langside Hill. This the regent had the precaution to seize, and posted his troops in a small village, and among some gardens and enclosures adjacent. In this advantageous situation he waited the approach of the enemy, whose superiority in cavalry could be of no benefit to them on such broken ground. The Hamiltons, who composed the vanguard, ran so eagerly to the attack, that they put themselves out of breath, and left the main battle far behind. The encounter of the spearmen was fierce and desperate; but as the forces of the Hamiltons were exposed, on the one flank, to a continued fire from a body of musketeers, attacked on the other by the regent's most choice troops, and not supported by the rest of the queen's army, they were soon obliged to give ground, and the rout immediately became universal. Few victories in a civil war, and among a fierce people, have been pursued with less violence, or attended with less bloodshed. Three hundred fell in the field. In the flight almost none were killed. The regent and his principal officers rode about, beseeching the soldiers to spare their countrymen. The number of prisoners was great, and among them many persons of distinction. The regent marched back to Glasgow, and returned public thanks to God

The queen's army defeated.

[f] Anders. vol. iv. 32. Melv. 181.

for this great, and, on his side, almost bloodless victory [g]. 1568.

During the engagement, Mary stood on a hill, at no great distance, and beheld all that passed in the field, with such emotions of mind as are not easily described. When she saw the army, which was her last hope, thrown into irretrievable confusion, her spirit, which all her past misfortunes had not been able entirely to subdue, sunk altogether. In the utmost consternation, she began her flight; and so lively were her impressions of fear, that she never closed her eyes, till she reached the abbey of Dundrenan in Galloway, full sixty Scottish miles from the place of battle [h]. Her flight.

These revolutions in Mary's fortune had been no less rapid than singular. In the short space of eleven days she had been a prisoner at the mercy of her most inveterate enemies; she had seen a powerful army under her command, and a numerous train of nobles at her devotion. And now she was obliged to fly, in the utmost danger of her life, and to lurk, with a few attendants, in a corner of her kingdom. Not thinking herself safe, even in that retreat, her fears impelled her to an action, the most unadvised, as well as the most unfortunate, in her whole life. This was her retiring into England; a step, which, on many accounts, ought to have appeared to her rash and dangerous.

Before Mary's arrival in Scotland, mutual distrust and jealousies had arisen between her and Elizabeth. All their subsequent transactions had contributed to exasperate and inflame these passions. She had endeavoured, by secret negotiations and intrigues, to disturb the tranquillity of Elizabeth's government, and to advance her own pretensions to the English crown. Elizabeth, who possessed great power, and acted with less reserve, had openly supported Mary's rebellious subjects, and fomented all the dissensions and troubles Resolves on retiring into England.

[g] Keith, 477.

[h] Ibid. 481.

1568. in which her reign had been involved. The maxims of policy still authorized that queen to pursue the same course; as, by keeping Scotland in confusion, she effectually secured the peace of her own kingdom. The regent, after his victory, had marched to Edinburgh, and, not knowing what course the queen had taken, it was several days before he thought of pursuing her[i]. She might have been concealed in that retired corner, among subjects devoted to her interest, until her party, which was dispersed, rather than broken, by the late defeat, should gather such strength that she could again appear with safety at their head. There was not any danger which she ought not to have run, rather than throw herself into the hands of an enemy, from whom she had already suffered so many injuries, and who was prompted, both by inclination and by interest, to renew them.

But, on the other hand, during Mary's confinement, Elizabeth had declared against the proceedings of her subjects, and solicited for her liberty, with a warmth which had all the appearance of sincerity. She had invited her to take refuge in England, and had promised to meet her in person, and to give her such a reception as was due to a queen, a kinswoman, and an ally[k]. Whatever apprehension Elizabeth might entertain of Mary's designs, while she had power in her hands, she was, at present, the object, not of fear, but of pity; and to take advantage of her situation, would be both ungenerous and inhuman. The horrours of a prison were fresh in Mary's memory; and if she should fall a second time into the hands of her subjects, there was no injury to which the presumption of success might not embolden them to proceed. To attempt escaping into France, was dangerous, and, in her situation, almost impossible; nor could she bear the thoughts

[i] Crawf. Mem. 59.

[k] Camd. 489. Anders. vol. iv. 99. 120. Murdin, 369.

of appearing as an exile and a fugitive in that kingdom where she had once enjoyed all the splendour of a queen. England remained her only asylum; and in spite of the entreaties of lord Herries, Fleming, and her other attendants, who conjured her, even on their knees, not to confide in Elizabeth's promises of generosity, her infatuation was invincible, and she resolved to fly thither. Herries, by her command, wrote to Lowther, the deputy-governor of Carlisle, to know what reception he would give her; and, before his answer could return, her fear and impatience was so great, that she got into a fisherboat, and, with about twenty attendants, landed at Wirkington in Cumberland, and thence she was conducted with many marks of respect to Carlisle[1]. 1568.

Her reception at Carlisle. May 16.

As soon as Mary arrived in England, she wrote a long letter to the queen, representing, in the strongest terms, the injuries which she had suffered from her own subjects, and imploring that pity and assistance which her present situation demanded[m]. An event so extraordinary, and the conduct which might be proper in consequence of it, drew the attention and employed the thoughts of Elizabeth and her council. If their deliberations had been influenced by considerations of justice or generosity alone, they would not have found them long or intricate. A queen, vanquished by her own subjects, and threatened by them with the loss of her liberty, or of her life, had fled from their violence, and thrown herself into the arms of her nearest neighbour and ally, from whom she had received repeated assurances of friendship and protection. These circumstances entitled her to respect and to compassion, and required that she should either be restored to her own kingdom, or, at least, be left at full liberty to seek aid from any other quarter. But with Elizabeth and her counsellors, the question was not, what was most

Elizabeth deliberates concerning the manner of treating her.

[1] Keith, 483. Anders. vol. iv. 2.

[m] Anders. vol. iv. 29.

1568. just or generous, but what was most beneficial to herself, and to the English nation. Three different resolutions might have been taken, with regard to the queen of Scots. To reinstate her in her throne, was one; to allow her to retire into France, was another; to detain her in England, was a third. Each of these drew consequences after it, of the utmost importance, which were examined, as appears from papers still extant[n], with that minute accuracy which Elizabeth's ministers employed in all their consultations upon affairs of moment.

To restore Mary to the full exercise of the royal authority in Scotland, they observed, would render her more powerful than ever. The nobles who were most firmly attached to the English interest would quickly feel the utmost weight of her resentment. As the gratitude of princes is seldom strong or lasting, regard to her own interest might soon efface the memory of her obligations to Elizabeth, and prompt her to renew the alliance of the Scottish nation with France, and revive her own pretensions to the English crown. Nor was it possible to fetter and circumscribe the Scottish queen, by any conditions that would prevent these dangers. Her party in Scotland was numerous and powerful. Her return, even without any support from England, would inspire her friends with new zeal and courage; a single victory might give them the superiority, which they had lost by a single defeat, and render Mary a more formidable rival than ever to Elizabeth.

The dangers arising from suffering Mary to return into France, were no less obvious. The French king could not refuse his assistance towards restoring his sister and ally to her throne. Elizabeth would, once more, see a foreign army in the island, overawing the Scots, and ready to enter her kingdom; and, if the commotions in France, on account of religion, were

[n] Anders. 34. 99. 102.

settled, the princes of Lorrain might resume their ambitious projects, and the united forces of France and Scotland might invade England where it is weakest and most defenceless. 1568.

Nothing, therefore, remained but to detain her in England; and to permit her either to live at liberty there, or to confine her in a prison. The former was a dangerous experiment. Her court would become a place of resort to all the Roman catholics, to the disaffected, and to the lovers of innovation. Though Elizabeth affected to represent Mary's pretensions to the English crown as ill-founded, she was not ignorant that they did not appear in that light to the nation, and that many thought them preferable even to her own title. If the activity of her emissaries had gained her so many abetters, her own personal influence was much more to be dreaded; her beauty, her address, her sufferings, by the admiration and pity which they would excite, could not fail of making many converts to her party[o]. Resolves to detain her in England.

It was indeed to be apprehended, that the treating Mary as a prisoner would excite universal indignation against Elizabeth; and that, by this unexampled severity towards a queen, who implored, and to whom she had promised, her protection, she would forfeit the praise of justice and humanity, which was hitherto due to her administration. But the English monarchs were often so solicitous to secure their kingdom against the Scots, as to be little scrupulous about the means which they employed for that purpose. Henry the fourth had seized the heir of the crown of Scotland, who was forced by the violence of a storm to take refuge in one of the ports of his kingdom; and, in contempt of the rights of hospitality, without regarding his tender age, or the tears and entreaties of his father, detained him a prisoner for many years. This action, though de-

[o] Anders. vol. iv. 56. 60.

1568. tested by posterity, Elizabeth resolved now to imitate. Her virtue was not more proof than that of Henry had been, against the temptations of interest; and the possession of a present advantage was preferred to the prospect of future fame. The satisfaction which she felt in mortifying a rival, whose beauty and accomplishments she envied, had, perhaps, no less influence than political considerations in bringing her to this resolution. But at the same time, in order to screen herself from the censure which this conduct merited, and to make her treatment of the Scottish queen look like the effect of necessity rather than of choice, she determined to assume the appearance of concern for her interest, and of deep sympathy with her sufferings.

May 20. With this view, she instantly despatched lord Scrope, warden of the west marches, and sir Francis Knollys, her vicechamberlain, to the queen of Scots, with letters full of expressions of kindness and condolence. But, at the same time, they had private instructions to watch all her motions, and to take care that she should not escape into her own kingdom[p]. On their arrival, Mary demanded a personal interview with the queen, that she might lay before her the injuries which she had suffered, and receive from her those friendly offices which she had been encouraged to expect. They answered, that it was with reluctance admission into the presence of their sovereign was at present denied her; that while she lay under the imputation of a crime so horrid as the murder of her husband, their mistress, to whom he was so nearly allied, could not, without bringing a stain upon her own reputation, admit her into her presence; but, as soon as she had cleared herself from that aspersion, they promised her a reception suitable to her dignity, and aid proportioned to her distress[q].

Mary demands admittance into Elizabeth's presence.

She offers to vindicate her conduct.

Nothing could be more artful than this pretence; and it was the occasion of leading the queen of Scots

[p] Anders. vol. iv. 36. 70. 92.

[q] Idem, vol. iv. 8. 55.

into the snare in which Elizabeth and her ministers wished to entangle her. Mary expressed the utmost surprise at this unexpected manner of evading her request; but, as she could not believe so many professions of friendship to be void of sincerity, she frankly offered to submit her cause to the cognizance of Elizabeth, and undertook to produce such proofs of her own innocence, and of the falsehood of the accusations brought against her, as should fully remove the scruples, and satisfy the delicacy, of the English queen. This was the very point to which Elizabeth laboured to bring the matter. In consequence of this appeal of the Scottish queen, she now considered herself as the umpire between her and her subjects, and foresaw that she would have it entirely in her own power to protract the inquiry to any length, and to perplex and involve it in endless difficulties. In the mean time, she was furnished with a plausible reason for keeping her at a distance from court, and for refusing to contribute towards replacing her on the throne. As Mary's conduct had been extremely incautious, and the presumptions of her guilt were many and strong, it was not impossible her subjects might make good their charge against her; and if this should be the result of the inquiry, she would, thenceforth, cease to be the object of regard or of compassion, and the treating her with coldness and neglect would merit little censure. In a matter so dark and mysterious, there was no probability that Mary could bring proofs of her innocence, so incontested, as to render the conduct of the English queen altogether culpable; and, perhaps, impatience under restraint, suspicion of Elizabeth's partiality, or the discovery of her artifices, might engage Mary in such cabals as would justify the using her with greater rigour.

1568.

Elizabeth takes advantage of this offer.

Elizabeth early perceived many advantages which would arise from an inquiry into the conduct of the Scottish queen, carried on under her direction. There

1568. was some danger, however, that Mary might discover her secret intentions too soon, and, by receding from the offer which she had made, endeavour to disappoint them. But, even in that event, she determined not to drop the inquiry, and had thought of several different expedients for carrying it on. The countess of Lennox, convinced that Mary was accessory to the murder of her son, and thirsting for that vengeance which it was natural for a mother to demand, had implored Elizabeth's justice, and solicited her, with many tears, in her own name, and in her husband's, to bring the Scottish queen to a trial for that crime[r]. The parents of the unhappy prince had a just right to prefer this accusation; nor could she, who was their nearest kinswoman, be condemned for listening to so equitable a demand. Besides, as the Scottish nobles openly accused Mary of the same crime, and pretended to be able to confirm their charge by sufficient proof, it would be no difficult matter to prevail on them to petition the queen of England to take cognizance of their proceedings against their sovereign; and it was the opinion of the English council, that it would be reasonable to comply with the request[s]. At the same time, the obsolete claim of the superiority of England over Scotland began to be talked of; and, on that account, it was pretended that the decision of the contest between Mary and her subjects belonged of right to Elizabeth[t]. But, though Elizabeth revolved all these expedients in her mind, and kept them in reserve to be made use of as occasion might require, she wished that the inquiry into Mary's conduct should appear to be undertaken purely in compliance with her own demand, and in order to vindicate her innocence; and so long as that appearance could be preserved, none of the other expedients were to be employed.

[r] Camd. 412. Haynes, 469.
[s] Anders. vol. iv. part i. 37.
[t] Anders. vol. iv. part i. 37.

When Mary consented to submit her cause to Elizabeth, she was far from suspecting that any bad consequences could follow, or that any dangerous pretensions could be founded on her offer. She expected that Elizabeth herself would receive and examine her defences[u]; she meant to consider her as an equal, for whose satisfaction she was willing to explain any part of her conduct that was liable to censure, not to acknowledge her as a superior, before whom she was bound to plead her cause. But Elizabeth put a very different sense on Mary's offer. She considered herself as chosen to be judge in the controversy between the Scottish queen and her subjects, and began to act in that capacity. She proposed to appoint commissioners to hear the pleadings of both parties, and wrote to the regent of Scotland to impower proper persons to appear before them in his name, and to produce what he could allege in vindication of his proceedings against his sovereign. 1569.

Mary greatly offended at Elizabeth's conduct.

Mary had hitherto relied with unaccountable credulity on Elizabeth's professions of regard, and expected that so many kind speeches would at last be accompanied with some suitable actions. But this proposal entirely undeceived her. She plainly perceived the artifice of Elizabeth's conduct, and saw what a diminution it would be to her own honour to appear on a level with her rebellious subjects, and to stand together with them at the bar of a superior and a judge. She retracted the offer which she had made, and which had been perverted to a purpose so contrary to her intention. She demanded, with more earnestness than ever, to be admitted into Elizabeth's presence; and wrote to her in a strain very different from what she had formerly used, and which fully discovers the grief and indignation that preyed on her heart. "In my present situation," says she, "I neither will July 13.

[u] Anders. vol. iv. 10.

1568. nor can reply to the accusations of my subjects. I am ready, of my own accord, and out of friendship to you, to satisfy your scruples, and to vindicate my own conduct. My subjects are not my equals; nor will I, by submitting my cause to a judicial trial, acknowledge them to be so. I fled into your arms, as into those of my nearest relation and most perfect friend. I did you honour, as I imagined, in choosing you, preferably to any other prince, to be the restorer of an injured queen. Was it ever known that a prince was blamed for hearing, in person, the complaints of those who appealed to his justice, against the false accusations of their enemies? You admitted into your presence my bastard brother, who had been guilty of rebellion; and you deny me that honour! God forbid that I should be the occasion of bringing any stain upon your reputation! I expected that your manner of treating me
April 24. would have added lustre to it. Suffer me either to implore the aid of other princes, whose delicacy on this head will be less, and their resentment of my wrongs greater; or let me receive from your hands that assistance which it becomes you, more than any other prince, to grant; and, by that benefit, bind me to yourself in the indissoluble ties of gratitude[x]."

June 20. Elizabeth's precautions against her. This letter somewhat disconcerted Elizabeth's plan, but did not divert her from the prosecution of it. She laid the matter before the privy council, and it was there determined, notwithstanding the entreaties and remonstrances of the Scottish queen, to go on with the inquiry into her conduct; and, until that were finished, it was agreed that Elizabeth could not, consistently with her own honour, or with the safety of her government, either give her the assistance which she demanded, or permit her to retire out of the kingdom. Lest she should have an opportunity of escaping, while she resided so near Scotland, it was thought

[x] Anders. vol. iv. part i. 94.

advisable to remove her to some place at a greater distance from the borders[y]. 1568.

While the English court was occupied in these deliberations, the regent did not neglect to improve the victory at Langside. That event was of the utmost importance to him. It not only drove the queen herself out of the kingdom, but left her adherents dispersed, and without a leader, at his mercy. He seemed resolved, at first, to proceed against them with the utmost rigour. Six persons of some distinction, who had been taken prisoners in the battle, were tried, and condemned to death, as rebels against the king's government. They were led to the place of execution, but, by the powerful intercession of Knox, they obtained a pardon. Hamilton of Bothwelhaugh was one of the number, who lived to give both the regent and Knox reason to repent of this commendable act of lenity[z]. Proceedings of the regent against the queen's adherents.

Soon after, the regent marched with an army, consisting of four thousand horse and one thousand foot, towards the west borders. The nobles in this part of the kingdom were all the queen's adherents; but, as they had not force sufficient to obstruct his progress, he must either have obliged them to submit to the king, or would have laid waste their lands with fire and sword. But Elizabeth, whose interest it was to keep Scotland in confusion, by preserving the balance between the two parties, and who was endeavouring to sooth the Scottish queen by gentle treatment, interposed at her desire. After keeping the field two weeks, the regent, in compliance to the English ambassador, dismissed his forces; and an expedition, which might have proved fatal to his opponents, ended with a few acts of severity[a].

The resolution of the English privy council, with Mary car-

[y] Anders. vol. iv. part i. 102. [z] Cald. vol. ii. 99.
[a] Cald. vol. ii. 99.

1568. regard to Mary's person, was soon carried into execution; and, without regarding her remonstrances or complaints, she was conducted to Bolton, a castle of lord Scrope's, on the borders of Yorkshire[b]. In this place, her correspondence with her friends in Scotland became more difficult, and any prospect of making her escape was entirely cut off. She now felt herself to be completely in Elizabeth's power, and, though treated as yet with the respect due to a queen, her real condition was that of a prisoner. Mary knew what it was to be deprived of liberty, and dreaded it as the worst of all evils. While the remembrance of her late imprisonment was still lively, and the terrour of a new one filled her mind, Elizabeth thought it a proper juncture to renew her former proposition, that she would suffer the regent and his adherents to be called into England, and consent to their being heard in defence of their own conduct. She declared it to be far from her intention to claim any right of judging between Mary and her subjects, or of degrading her so far as to require that she should answer to their accusations. On the contrary, Murray and his associates were summoned to appear, in order to justify their conduct in treating their sovereign so harshly, and to vindicate themselves from those crimes with which she had charged them. On her part, Elizabeth promised, whatever should be the issue of this inquiry, to employ all her power and influence towards replacing Mary on her throne, under a few limitations, by no means unreasonable. Mary, deceived by this seeming attention to her dignity as a queen, soothed, on one hand, by a promise more flattering than any which she had hitherto received from Elizabeth, and urged, on the other, by the feelings which were natural on being conducted into a more interior part of England, and kept there in more rigorous confine-

ried to Bolton.

July 13.

July 28.

Agrees that an inquiry be made into her conduct.

[b] Anders. vol. iv. 14. See Appendix, No. XXV.

ment, complied at length with what Elizabeth required, and promised to send commissioners to the conferences appointed to be held at York[c]. 1568.

In order to persuade Elizabeth that she desired nothing so much as to render the union between them as close as possible, she showed a disposition to relax somewhat in one point; with regard to which, during all her past and subsequent misfortunes, she was uniformly inflexible. She expressed a great veneration for the liturgy of the church of England; she was often present at religious worship, according to the rites of the reformed church; made choice of a protestant clergyman to be her chaplain; heard him preach against the errours of popery with attention and seeming pleasure; and discovered all the symptoms of an approaching conversion[d]. Such was Mary's known and bigoted attachment to the popish religion, that it is impossible to believe her sincere in this part of her conduct; nor can any thing mark more strongly the wretchedness of her condition, and the excess of her fears, than that they betrayed her into dissimulation, in a matter concerning which her sentiments were, at all other times, scrupulously delicate. Her dissimulation with regard to religion.

At this time the regent called a parliament, in order to proceed to the forfeiture of those who refused to acknowledge the king's authority. The queen's adherents were alarmed, and Argyll and Huntly, whom Mary had appointed her lieutenants, the one in the south and the other in the north of Scotland, began to assemble forces to obstruct this meeting. Compassion for the queen, and envy at those who governed in the king's name, had added so much strength to the party, that the regent would have found it difficult to withstand its efforts. But as Mary had submitted her cause to Elizabeth, she could not refuse, at her desire, August 18. A parliament in Scotland.

[c] Anders. vol. iv. part i. p. 11, 12, etc. 109, etc. Haynes, 468, etc. State Trials, edit. Hargrave, i. 90.

[d] Anders. vol. iv. part i. 113. Haynes, 509. See Appendix, No. XXVI.

1568. to command her friends to lay down their arms, and to wait patiently until matters were brought to a decision in England. By procuring this cessation of arms, Elizabeth afforded as seasonable relief to the regent's faction, as she had formerly given to the queen's[e].

The regent, however, would not consent, even at Elizabeth's request, to put off the meeting of parliament[f]. But we may ascribe to her influence, as well as to the eloquence of Maitland, who laboured to prevent the one half of his countrymen from exterminating the other, any appearances of moderation which this parliament discovered in its proceedings. The most violent opponents of the king's government were forfeited; the rest were allowed still to hope for favour[g].

Elizabeth requires the regent to defend his conduct.

No sooner did the queen of Scots submit her cause to her rival, than Elizabeth required the regent to send to York deputies properly instructed for vindicating his conduct, in presence of her commissioners. It was not without hesitation and anxiety that the regent consented to this measure. His authority was already established in Scotland, and confirmed by parliament. To suffer its validity now to be called in question, and subjected to a foreign jurisdiction, was extremely mortifying. To accuse his sovereign before strangers, the ancient enemies of the Scottish name, was an odious task. To fail in this accusation was dangerous; to succeed in it was disgraceful. But the strength of the adverse faction daily increased. He dreaded the interposition of the French king in its behalf. In his situation, and in a matter which Elizabeth had so much at heart, her commands were neither to be disputed nor disobeyed[h].

Both the queen and he appoint commissioners.

The necessity of repairing in person to York added to the ignominy of the step which he was obliged to take. All his associates declined the office; they

[e] Anders. vol. iv. 125.
[f] See Appendix, No. XXVII.
[g] Buchan. 371.
[h] Buch. 372. See Appendix, No. XXVIII.

were unwilling to expose themselves to the odium and danger with which it was easy to foresee that the discharge of it would be attended, unless he himself consented to share these in common with them. The earl of Morton, Bothwell, bishop of Orkney, Pitcairn, commendator of Dunfermling, and lord Lindsay, were joined with him in commission. Macgill of Rankeilor, and Balnaves of Hallhill, two eminent civilians, George Buchanan, Murray's faithful adherent, a man whose genius did honour to the age, Maitland, and several others, were appointed to attend them as assistants. Maitland owed this distinction to the regent's fear, rather than to his affection. He had warmly remonstrated against this measure. He wished his country to continue in friendship with England, but not to become dependent on that nation. He was desirous of reestablishing the queen in some degree of power, not inconsistent with that which the king possessed; and the regent could not, with safety, leave behind him a man, whose views were so contrary to his own, and who, by his superior abilities, had acquired an influence in the nation, equal to that which others derived from the antiquity and power of their families[i]. 1568. Sept. 18.

Mary empowered Lesley, bishop of Ross, lord Livingston, lord Boyd, lord Herries, Gavin Hamilton, commendator of Kilwinning, sir John Gordon, of Lochinvar, and sir James Cockburn, of Stirling, to appear in her name[k].

Elizabeth nominated Thomas Howard, duke of Norfolk, Thomas Radcliffe, earl of Sussex, and sir Ralph Sadler, her commissioners to hear both parties.

The fourth of October was the day fixed for opening the 'conference.' The great abilities of the deputies on both sides, the dignity of the judges before whom they were to appear, the high rank of the per- The conference at York.

[i] Buchan. 371. Anders. vol. iv. 35. Melv. 186. 188.
[k] Anders. vol. iv. 33.

1568. sons whose cause was to be heard, and the importance of the points in dispute, rendered the whole transaction no less illustrious than it was singular. The situation in which Elizabeth appeared, on this occasion, strikes us with an air of magnificence. Her rival, an independent queen, and the heir of an ancient race of monarchs, was a prisoner in her hands, and appeared, by her ambassadors, before her tribunal. The regent of Scotland, who represented the majesty, and possessed the authority of a king, stood in person at her bar. And the fate of a kingdom, whose power her ancestors had often dreaded, but could never subdue, was now at her disposal.

Views of the different parties.

The views, however, with which the several parties consented to this conference, and the issue to which they expected to bring it, were extremely different.

Mary's chief object was the recovering of her former authority. This induced her to consent to a measure against which she had long struggled. Elizabeth's promises gave her ground for entertaining hopes of being restored to her kingdom; in order to which, she would have willingly made many concessions to the king's party; and the influence of the English queen, as well as her own impatience under her present situation, might have led her to many more[1]. The regent aimed at nothing but securing Elizabeth's protection to his party, and seems not to have had the most distant thoughts of coming to any composition with Mary. Elizabeth's views were more various, and her schemes more intricate. She seemed to be full of concern for Mary's honour, and solicitous that she should wipe off the aspersions which blemished her character. This she pretended to be the intention of the conference; amusing Mary, and eluding the solicitations of the French and Spanish ambassadors in her behalf, by repeated promises of assisting her, as soon as she could

[1] Anders. vol. iv. part ii. 33. Good. vol. ii. 337.

venture to do so without bringing disgrace upon herself. But, under this veil of friendship and generosity, Elizabeth concealed sentiments of a different nature. She expected that the regent would accuse Mary of being accessory to the murder of her husband. She encouraged him, as far as decency would permit, to take this desperate step[m]. And as this accusation might terminate in two different ways, she had concerted measures for her future conduct suitable to each of these. If the charge against Mary should appear to be well-founded, she resolved to pronounce her unworthy of wearing a crown, and to declare that she would never burthen her own conscience with the guilt of an action so detestable as the restoring her to her kingdom[n]. If it should happen, that what her accusers alleged did not amount to a proof of guilt, but only of maleadministration, she determined to set on foot a treaty for restoring her, but on such conditions as would render her hereafter dependent, not only upon England, but upon her own subjects[o]. As every step in the progress of the conference, as well as the final result of it, was in Elizabeth's own power, she would still be at liberty to choose which of these courses she should hold; or, if there appeared to be any danger or inconvenience in pursuing either of them, she might protract the whole cause by endless delays, and involve it in inextricable perplexity. 1568.

Complaint of the queen's commissioners against the regent.

The conference, however, was opened with much solemnity. But the very first step discovered it to be Elizabeth's intention to inflame, rather than to extinguish, the dissensions and animosities among the Scots. No endeavours were used to reconcile the contending parties, or to mollify the fierceness of their hatred, by bringing the queen to offer pardon for what was past, or her subjects to promise more dutiful obedience for

[m] Anders. vol. iv. part ii. 11. 45. Haynes, 487.
[n] Anders. vol. iv. part ii. 11. [o] Id. ibid. 16.

1568. Oct. 8. the future. On the contrary, Mary's commissioners were permitted to prefer a complaint against the regent and his party, containing an enumeration of their treasonable actions, of their seizing her person by force of arms, committing her to prison, compelling her to resign the crown, and making use of her son's name to colour their usurpation of the whole royal authority; and of all these enormities they required such speedy and effectual redress, as the injuries of one queen demanded from the justice of another[p].

It was then expected that the regent would have disclosed all the circumstances of that unnatural crime to which he pretended the queen had been accessory, and would have produced evidence in support of his charge. But, far from accusing Mary, the regent did not even answer the complaints brought against himself. He discovered a reluctance at undertaking that office, and started many doubts and scruples, with regard to which he demanded to be resolved by Elizabeth herself[q]. His reserve and hesitation were no less surprising to the greater part of the English commissioners than to his own associates. They knew that he could not vindicate his own conduct without charging the murder upon the queen, and he had not hitherto shown any extraordinary delicacy on that head. An intrigue, however, had been secretly carried on, since his arrival at York, which explains this mystery.

Intrigues of Norfolk with the regent.

The duke of Norfolk was, at that time, the most powerful and most popular man in England. His wife was lately dead; and he began already to form a project, which he afterwards more openly avowed, of mounting the throne of Scotland, by a marriage with the queen of Scots. He saw the infamy which would be the consequence of a public accusation against Mary, and how prejudicial it might be to her pretensions to the English succession. In order to save her

[p] Anders. vol. iv. part ii. 52. [q] Haynes, 478.

from this cruel mortification, he applied to Maitland, 1568.
and expressed his astonishment at seeing a man of so much reputation for wisdom, concurring with the regent in a measure so dishonourable to themselves, to their queen, and to their country; submitting the public transactions of the nation to the judgment of foreigners; and publishing the ignominy, and exposing the faults of their sovereign, which they were bound, in good policy, as well as in duty, to conceal and to cover. It was easy for Maitland, whose sentiments were the same with the duke's, to vindicate his own conduct. He assured him, that he had employed all his credit to dissuade his countrymen from this measure; and would still contribute, to the utmost of his power, to divert them from it. This encouraged Norfolk to communicate the matter to the regent. He repeated and enforced the same arguments which he had used with Maitland. He warned him of the danger to which he must expose himself by such a violent action as the public accusation of his sovereign. Mary would never forgive a man, who had endeavoured to fix such a brand of infamy on her character. If she ever recovered any degree of power, his destruction would be inevitable, and he would justly merit it at her hands. Nor would Elizabeth screen him from this, by a public approbation of his conduct. For, whatever evidence of Mary's guilt he might produce, she was resolved to give no definitive sentence in the cause. Let him only demand that the matter should be brought to a decision immediately after hearing the proof, and he would be fully convinced how false and insidious her intentions were, and, by consequence, how improper it would be for him to appear as the accuser of his own sovereign[r]. The candour which Norfolk seemed to discover in these remonstrances, as well as the truth which they contained, made a deep

[r] Melv. 187. Haynes, 573.

1568. impression on the regent. He daily received the strongest assurances of Mary's willingness to be reconciled to him, if he abstained from accusing her of such an odious crime, together with the denunciations of her irreconcilable hatred, if he acted a contrary part[s]. All these considerations concurred in determining him to alter his purpose, and to make trial of the expedient which the duke had suggested.

Oct. 9. He demanded, therefore, to be informed, before he proceeded further, whether the English commissioners were empowered to declare the queen guilty, by a judicial act; whether they would promise to pass sentence, without delay; whether the queen should be kept under such restraint, as to prevent her from disturbing the government now established in Scotland; and whether Elizabeth, if she approved of the proceedings of the king's party, would engage to protect it for the future[t]. The paper containing these demands was signed by himself alone, without communicating it to any of his attendants, except Maitland and Melvil[u]. But, lest so many precautions should excite any suspicion of their proceedings, from some consciousness of defect in the evidence which he had to produce against his sovereign, Murray empowered Lethington, Macgill, and Buchanan, to wait upon the duke of Norfolk, the earl of Sussex, and sir Ralph Sadler, and to lay before them, not in their public characters as commissioners, but as private persons, Mary's letters to Bothwell, her sonnets, and all the other papers, upon which was founded the charge of her being accessory to the murder of the king, and to declare that this confidential communication was made to them, with a view to learn whether the queen of England would consider this evidence as sufficient to

[s] Anders. vol. iv. part ii. 77. Good. vol. ii. 157. See Appendix, No. XXIX.

[t] Anders. vol. iv. part ii. 55. State Trials, i. 91. etc.

[u] Anders. vol. iv. part ii. 56. Melv. 190.

establish the truth of the accusation. Nothing could be more natural than the regent's solicitude, to know on what footing he stood. To have ventured on a step so uncommon and dangerous, as the accusing his sovereign, without previously ascertaining that he might take it with safety, would have been unpardonable imprudence. But Elizabeth, who did not expect that he would have moved any such difficulty, had not empowered her commissioners to give him that satisfaction which he demanded. It became necessary to transmit the articles to herself, and by the light in which Norfolk placed them, it is easy to see that he wished that they should make no slight impression on Elizabeth and her ministers. "Think not the Scots," said he, "over-scrupulous or precise. Let us view their conduct as we would wish our own to be viewed in a like situation. The game they play is deep; their estates, their lives, their honour, are at stake. It is now in their own power to be reconciled to their queen, or to offend her irrecoverably; and, in a matter of so much importance, the utmost degree of caution is not excessive[x]." 1568.

While the English commissioners waited for fuller instructions with regard to the regent's demands, he gave in an answer to the complaint which had been offered in the name of the Scottish queen. It was expressed in terms perfectly conformable to the system which he had at that time adopted. It contained no insinuation of the queen's being accessory to the murder of her husband; the bitterness of style peculiar to the age was considerably abated; and though he pleaded, that the infamy of the marriage with Bothwell made it necessary to take arms in order to dissolve it; though Mary's attachment to a man so odious justified the keeping her, for some time, under restraint; yet nothing more was said on these subjects than was

[x] Anders. vol. iv. 77.

1568. barely requisite in his own defence. The queen's commissioners did not fail to reply[y]. But while the article with respect to the murder remained untouched, these were only skirmishes at a distance, of no consequence towards ending the contest, and were little regarded by Elizabeth, or her commissioners.

Oct. 17.

The conference removed to Westminster.

The conference had, hitherto, been conducted in a manner which disappointed Elizabeth's views, and produced none of those discoveries which she had expected. The distance between York and London, and the necessity of consulting her upon every difficulty which occurred, consumed much time. Norfolk's negotiation with the Scottish regent, however secretly carried on, was not, in all probability, unknown to a princess so remarkable for her sagacity in penetrating the designs of her enemies, and seeing through their deepest schemes[z]. Instead, therefore, of returning any answer to the regent's demands, she resolved to remove the conference to Westminster, and to appoint new commissioners, in whom she could more absolutely confide. Both the queen of Scots and the regent were brought, without difficulty, to approve of this resolution[a].

We often find Mary boasting of the superiority in argument obtained by her commissioners during the conference at York, and how, by the strength of their reasons, they confounded her adversaries, and silenced all their cavils[b]. The dispute stood, at that time, on a footing which rendered her victory not only apparent, but easy. Her participation of the guilt of the king's murder was the circumstance upon which her subjects must have rested, as a justification of their violent proceedings against her; and, while they industriously avoided mentioning that, her cause gained as much as

[y] Anders. vol. iv. part ii. 64. 80.
[z] Good. vol. ii. 160. Anders. vol. iii. 24.
[a] Haynes, 484. Anders. vol. iv. 94.
[b] Good. vol. i. 186. 284. 350.

that of her adversaries lost by suppressing this capital argument. 1568.

Elizabeth resolved that Mary should not enjoy the same advantage in the conference to be held at Westminster. She deliberated with the utmost anxiety, how she might overcome the regent's scruples, and persuade him to accuse the queen. She considered of the most proper method for bringing Mary's commissioners to answer such an accusation; and as she foresaw that the promises with which it was necessary to allure the regent, and which it was impossible to conceal from the Scottish queen, would naturally exasperate her to a great degree, she determined to guard her more narrowly than ever; and, though lord Scrope had given her no reason to distrust his vigilance or fidelity, yet, because he was the duke of Norfolk's brother-in-law, she thought it proper to remove the queen, as soon as possible, to Tuthbury in Staffordshire, and commit her to the keeping of the earl of Shrewsbury, to whom that castle belonged[c].

Mary's suspicions of Elizabeth's intentions. Oct. 21.

Mary began to suspect the design of this second conference; and, notwithstanding the satisfaction she expressed at seeing her cause taken more immediately under the queen's own eye[d], she framed her instructions to her commissioners in such a manner, as to avoid being brought under the necessity of answering the accusation of her subjects, if they should be so desperate as to exhibit one against her[e]. These suspicions were soon confirmed by a circumstance extremely mortifying. The regent having arrived at London, in order to be present at the conference, was immediately admitted into Elizabeth's presence, and received by her, not only with respect, but with affection. This Mary justly considered as an open declaration of that queen's partiality towards her adversaries. In the first emotions of her resentment, she wrote to her commis-

Nov. 22. Claims a personal au-

[c] Haynes, 487. [d] Anders. vol. iv. part ii. 95. [e] Good. vol. ii. 349.

1568. sioners, and commanded them to complain, in the presence of the English nobles, and before the ambassadors of foreign princes, of the usage she had hitherto met with, and the additional injuries which she had reason to apprehend. Her rebellious subjects were allowed access to the queen; she was excluded from her presence: they enjoyed full liberty; she languished under a long imprisonment: they were encouraged to accuse her; in defending herself she laboured under every disadvantage. For these reasons she once more renewed her demand, of being admitted into the queen's presence; and if that were denied, she instructed them to declare, that she recalled the consent which she had given to the conference at Westminster, and protested, that whatever was done there, should be held to be null and invalid[f].

dience of Elizabeth.

This, perhaps, was the most prudent resolution Mary could have taken. The pretences on which she declined the conference were plausible, and the juncture for offering them well chosen. But either the queen's letter did not reach her commissioners in due time, or they suffered themselves to be deceived by Elizabeth's professions of regard for their mistress, and consented to the opening of the conference[g].

Nov. 25. To the commissioners who had appeared in her name at York, Elizabeth now added sir Nicholas Bacon, keeper of the great seal, the earls of Arundel and Leicester, lord Clinton, and sir William Cecil[h]. The difficulties which obstructed the proceedings at York were quickly removed. A satisfying answer was given to the regent's demands; nor was he so much disposed to hesitate, and raise objections, as formerly. His negotiation with Norfolk had been discovered to Morton by some of Mary's attendants, and he had communicated it to Cecil[i]. His personal safety, as well as the continu-

[f] Good. vol. ii. 184.
[g] Anders. vol. iii. 25.
[h] Id. vol. iv. part ii. 99.
[i] Melv. 191.

ance of his power, depended on Elizabeth. By favouring Mary, she might at any time ruin him; and by a question which she artfully started, concerning the person who had a right, by the law of Scotland, to govern the kingdom during a minority, she let him see, that, even without restoring the queen, it was an easy matter for her to deprive him of the supreme direction of affairs[k]. These considerations, which were powerfully seconded by most of his attendants, at length determined the regent to produce his accusation against the queen. 1568.

The regent accuses the queen of being accessory to her husband's murder.

He endeavoured to lessen the obloquy, with which he was sensible this action would be attended, by protesting, that it was with the utmost reluctance he undertook this disagreeable task; that his party had long suffered their conduct to be misconstrued, and had borne the worst imputations in silence, rather than expose the crimes of their sovereign to the eyes of strangers; but that now the insolence and importunity of the adverse faction forced them to publish, what they had hitherto, though with loss to themselves, endeavoured to conceal[l]. These pretexts are decent; and the considerations which he mentions had, during some time, a real influence upon the conduct of the party; but, since the meeting of parliament held in December, they had discovered so little delicacy and reserve with respect to the queen's actions, as renders it impossible to give credit to those studied professions. The regent and his associates were drawn, it is plain, partly by the necessity of their affairs, and partly by Elizabeth's artifices, into a situation where no liberty of choice was left to them; and they were obliged either to acknowledge themselves to be guilty of rebellion, or to charge Mary with having been accessory to the commission of murder.

The accusation itself was conceived in the strongest

[k] Haynes, 484.

[l] Anders. vol. iv. part ii. 115.

1568. terms. Mary was charged, not only with having consented to the murder, but with being accessory to the contrivance and execution of it. Bothwell, it was pretended, had been screened from the pursuits of justice by her favour; and she had formed designs no less dangerous to the life of the young prince, than subversive of the liberties and constitution of the kingdom. If any of these crimes should be denied, an offer was made to produce the most ample and undoubted evidence in confirmation of the charge[m].

Nov. 29. At the next meeting of the commissioners, the earl of Lennox appeared before them; and, after bewailing the tragical and unnatural murder of his son, he implored Elizabeth's justice against the queen of Scots, whom he accused, upon oath, of being the author of that crime, and produced papers, which, as he pretended, would make good what he alleged. The entrance of a new actor on the stage so opportunely, and at a juncture so critical, can scarce be imputed to chance. This contrivance was manifestly Elizabeth's, in order to increase, by this additional accusation, the infamy of the Scottish queen[n].

Her commissioners refuse to answer. Dec. 4. Mary's commissioners expressed the utmost surprise and indignation at the regent's presumption, in loading the queen with calumnies, which, as they affirmed, she had so little merited. But, instead of attempting to vindicate her honour, by a reply to the charge, they had recourse to an article in their instructions, which they had formerly neglected to mention in its proper place. They demanded an audience of Elizabeth; and having renewed their mistress's request of a personal interview, they protested, if that were denied her, against all the future proceedings of the commissioners[o]. A protestation of this nature, offered just at the critical time when such a bold accusation had been preferred against

[m] Anders. vol. iv. part ii. 119.
[n] Id. ibid. 122.
[o] Id. ibid. 133. 158, etc.

Mary, and when the proofs in support of it were ready to be examined, gave reason to suspect that she dreaded the event of that examination. This suspicion received the strongest confirmation from another circumstance: Ross and Herries, before they were introduced to Elizabeth, in order to make this protestation, privately acquainted Leicester and Cecil, that as their mistress had, from the beginning, discovered an inclination towards bringing the differences between herself and her subjects to an amicable accommodation, so she was still desirous, notwithstanding the regent's audacious accusation, that they should be terminated in that manner[p]. 1568

Such moderation seems hardly to be compatible with the strong resentment which calumniated innocence naturally feels; or with that eagerness to vindicate itself which it always discovers. In Mary's situation, an offer so ill-timed must be considered as a confession of the weakness of her cause. The known character of her commissioners exempts them from the imputation of folly, or the suspicion of treachery. Some secret conviction, that the conduct of their mistress could not bear so strict a scrutiny as must be made into it, if they should reply to the accusation preferred by Murray against her, seems to be the most probable motive of this imprudent proposal, by which they endeavoured to avoid it.

It appeared in this light to Elizabeth, and afforded her a pretence for rejecting it. She represented to Mary's commissioners, that, in the present juncture, nothing could be so dishonourable to their mistress as an accommodation; and that the matter would seem to be huddled up in this manner, merely to suppress discoveries, and to hide her shame; nor was it possible that Mary could be admitted, with any decency, into her presence, while she lay under the infamy of such a public accusation. Dec. 4.

[p] Anders. vol. iv. part ii. 134. Cabbala, 157.

1568. Upon this repulse, Mary's commissioners withdrew; and, as they had declined answering, there seemed now to be no farther reason for the regent's producing the proofs in support of his charge. But without getting these into her hands, Elizabeth's schemes were incomplete; and her artifice for this purpose was as mean, but as successful, as any she had hitherto employed. She commanded her commissioners to testify her indignation and displeasure at the regent's presumption, in forgetting so far the duty of a subject, as to accuse his sovereign of such atrocious crimes. He, in order to regain the good opinion of such a powerful protectress, offered to show that his accusations were not malicious, nor ill-grounded. Then were produced and submitted to the inspection of the English commissioners, the acts of the Scottish parliament in confirmation of the regent's authority, and of the queen's resignation; the confessions of the persons executed for the king's murder; and the fatal casket which contained the letters, sonnets, and contracts, that have been so often mentioned.

Elizabeth treats Mary with greater rigour. Dec. 14. As soon as Elizabeth got these into her possession, she laid them before her privy council, to which she joined, on this occasion, several noblemen of the greatest eminence in her kingdom; in order that they might have an opportunity of considering the mode in which an inquiry of such public importance had been hitherto conducted, as well as the amount of the evidence now brought against a person, who claimed a preferable right of succession to the English crown. In this respectable assembly all the proceedings in the conferences at York and Westminster were reviewed, and the evidence produced by the regent of Scotland against his sovereign was examined with attention. In particular, the letters and other papers said to be written by the queen of Scots, were carefully compared "for the manner of writing and orthography," with a variety of letters which Elizabeth had received at different

times from the Scottish queen; and, as the result of a most accurate collation, the members of the privy council, and noblemen conjoined with them, declared that no difference between these could be discovered[q]. Elizabeth, having established a fact so unfavourable to her rival, began to lay aside the expressions of friendship and respect which she had hitherto used in all her letters to the Scottish queen. She now wrote to her in such terms, as if the presumptions of her guilt had amounted almost to certainty; she blamed her for refusing to vindicate herself from an accusation which could not be left unanswered, without a manifest injury to her character; and plainly intimated, that, unless that were done, no change would be made in her present situation[r]. She hoped that such a discovery of her sentiments would intimidate Mary, who was hardly recovered from the shock of the regent's attack on her reputation, and force her to confirm her resignation of the crown, to ratify Murray's authority as regent, and to consent that both herself and her son should reside in England, under English protection. This scheme Elizabeth had much at heart; she proposed it both to Mary and to her commissioners, and neglected no argument nor artifice, that could possibly recommend it. Mary saw how fatal this would prove to her reputation, to her pretensions, and even to her personal safety. She rejected it without hesitation. "Death," said she, "is less dreadful than such an ignominious step. Rather than give away, with my own hands, the crown which descended to me from my ancestors, I will part with life; but the last words I utter, shall be those of a queen of Scotland[s]." 1568.

At the same time she seems to have been sensible how open her reputation lay to censure, while she suffered such a public accusation to remain unanswered;

[q] Anders. vol. iv. part ii. 170, etc.
[r] Id. ibid. 179. 183. Good. vol. ii. 260.
[s] Haynes, 497. See Appendix, No. XXX. Good. vol. ii. 274. 301.

1568. and, though the conference was now dissolved, she empowered her commissioners to present a reply to the allegations of her enemies, in which she denied, in the strongest terms, the crimes imputed to her; and recriminated upon the regent and his party, by accusing them of having devised and executed the murder of
Dec. 24. the king[t]. The regent and his associates asserted their innocence with great warmth. Mary continued to insist on a personal interview, a condition which she knew would never be granted[u]. Elizabeth urged her to vindicate her own honour. But it is evident from the delays, the evasions, and subterfuges, to which both queens had recourse by turns, that Mary avoided, and Elizabeth did not desire, to make any farther progress in the inquiry.

1569. Feb. 2. Dismisses the regent without either approving or condemning his conduct;

The regent was now impatient to return into Scotland, where his adversaries were endeavouring, in his absence, to raise some commotions. Before he set out, he was called into the privy council, to receive a final declaration of Elizabeth's sentiments. Cecil acquainted him, in her name, that, on one hand, nothing had been objected to his conduct, which she could reckon detrimental to his honour, or inconsistent with his duty; nor had he, on the other hand, produced any thing against his sovereign, on which she could found an unfavourable opinion of her actions; and, for this reason, she resolved to leave all the affairs of Scotland precisely in the same situation in which she had found them at the beginning of the conference. The queen's commissioners were dismissed much in the same manner[x].

After the attention of both nations had been fixed so earnestly on this conference upwards of four months, such a conclusion of the whole appears, at first sight, trifling and ridiculous. Nothing, however, could be

[t] Good. ii. 285. [u] Ibid. 283. Cabbala, 157.
[x] Good. ii. 315. 333.

more favourable to Elizabeth's future schemes. Notwithstanding her seeming impartiality, she had no thoughts of continuing neuter; nor was she at any loss on whom to bestow her protection. Before the regent left London, she supplied him with a considerable sum of money, and engaged to support the king's authority to the utmost of her power[y]. Mary, by her own conduct, fortified this resolution. Enraged at the repeated instances of Elizabeth's artifice and deceit, which she had discovered during the progress of the conference, and despairing of ever obtaining any succour from her, she endeavoured to rouse her own adherents in Scotland to arms, by imputing such designs to Elizabeth and Murray, as could not fail to inspire every Scotchman with indignation. Murray, she pretended, had agreed to convey the prince, her son, into England; to surrender to Elizabeth the places of greatest strength in the kingdom; and to acknowledge the dependence of the Scottish upon the English nation. In return for this, Murray was to be declared the lawful heir of the crown of Scotland; and, at the same time, the question with regard to the English succession was to be decided in favour of the earl of Hartford, who had promised to marry one of Cecil's daughters. An account of these wild and chimerical projects was spread industriously among the Scots. Elizabeth, perceiving it was calculated of purpose to bring her government into disreputation, laboured to destroy its effects, by a counter-proclamation, and became more disgusted than ever with the Scottish queen[z].

1569. but secretly supports his party.

The regent, on his return, found the kingdom in the utmost tranquillity. But the rage of the queen's adherents, which had been suspended, in expectation that the conference in England would terminate to her

Efforts of Mary's adherents against him.

[y] Good. ii. 313. Carte, iii. 478.

[z] Haynes, 500. 503. See Appendix, No. XXXI.

1569. advantage, was now ready to break out with all the violence of civil war. They were encouraged too by the appearance of a leader, whose high quality and pretensions entitled him to great authority in the nation. This was the duke of Chatelherault, who had resided for some years in France, and was now sent over by that court with a small supply of money, in hopes that the presence of the first nobleman in the kingdom would strengthen the queen's party. Elizabeth had detained him in England for some months, under various pretences, but was obliged at last to
Feb. 25. suffer him to proceed on his journey. Before his departure, Mary invested him with the high dignity of her lieutenant-general in Scotland, together with the fantastic title of her adopted father.

His vigorous conduct breaks her party.

The regent did not give him time to form his party into any regular body. He assembled an army with his usual expedition, and marched to Glasgow. The followers of Argyll and Huntly, who composed the chief part of the queen's faction, being seated in corners of the kingdom very distant from each other, and many of the duke's dependents having been killed or taken in the battle of Langside, the spirit and strength of his adherents were totally broken, and an accommodation with the regent was the only thing which could prevent the ruin of his estate and vassals. This was effected without difficulty, and on no unreasonable terms. The duke promised to acknowledge the authority both of the king and of the regent; and to claim no jurisdiction in consequence of the commission which he had received from the queen. The regent bound himself to repeal the act which had passed for attainting several of the queen's adherents; to restore all who would submit to the king's government to the possession of their estates and honours; and to hold a convention, wherein all the differences between the two parties should be settled by mutual consent. The duke gave hostages for his faithful performance of the

treaty; and, in token of their sincerity, he and lord Herries accompanied the regent to Stirling, and visited the young king. The regent set at liberty the prisoners taken at Langside[a]. 1569.

Argyll and Huntly refused to be included in this treaty. A secret negotiation was carrying on in England, in favour of the captive queen, with so much success, that her affairs began to wear a better aspect, and her return into her own kingdom seemed to be an event not very distant. The French king had lately obtained such advantages over the hugonots, that the extinction of that party appeared to be inevitable, and France, by recovering domestic tranquillity, would be no longer prevented from protecting her friends in Britain. These circumstances not only influenced Argyll and Huntly, but made so deep an impression on the duke, that he appeared to be wavering and irresolute, and plainly discovered that he wished to evade the accomplishment of the treaty. The regent saw the danger of allowing the duke to shake himself loose, in this manner, from his engagements; and instantly formed a resolution equally bold and politic. He commanded his guards to seize Chatelherault in his own house in Edinburgh, whither he had come in order to attend the convention agreed upon; and, regardless either of his dignity, as the first nobleman in the kingdom, and next heir to the crown, or of the promises of personal security, on which he had relied, committed him and lord Herries prisoners to the castle of Edinburgh[b]. A blow so fatal and unexpected dispirited the party. Argyll submitted to the king's government, and made his peace with the regent on very easy terms; and Huntly, being left alone, was at last obliged to lay down his arms. April 16.

Soon after, lord Boyd returned into Scotland, and

[a] Cabbala, 161. Crawf. Mem. 106.
[b] Crawf. Mem. 111. Melv. 202.

1569. brought letters to the regent, both from the English and Scottish queens. A convention was held at Perth, in order to consider them. Elizabeth's letter contained three different proposals with regard to Mary; that she should either be restored to the full possession of her former authority; or be admitted to reign jointly with the king her son; or at least be allowed to reside in Scotland, in some decent retirement, without any share in the administration of government. These overtures were extorted by the importunity of Fénélon, the French ambassador, and have some appearance of being favourable to the captive queen. They were, however, perfectly suitable to Elizabeth's general system with regard to Scottish affairs. Among propositions so unequal and disproportionate, she easily saw where the choice would fall. The two former were rejected; and long delays must necessarily have intervened, and many difficulties have arisen, before every circumstance relative to the last could be finally adjusted[c].

July 21. A proposal in favour of Mary rejected.

Mary, in her letter, demanded that her marriage with Bothwell should be reviewed by the proper judges, and, if found invalid, should be dissolved by a legal sentence of divorce. This fatal marriage was the principal source of all the calamities she had endured for two years; a divorce was the only thing which could repair the injuries her reputation had suffered by that step. It was her interest to have proposed it early; and it is not easy to account for her long silence with respect to this point. Her particular motive for proposing it at this time began to be so well known, that the demand was rejected by the convention of estates[d]. They imputed it not so much to any abhor-

Norfolk's scheme for marrying the queen of Scots.

[c] Spotswood, 230.

[d] Spotswood, 231. In a privy council, held July 30, 1569, this demand was considered; and, of fifty-one members present, only seven voted to comply with the queen's request. Records Priv. Counc. manuscript in the Lyon Office, p. 148.

rence of Bothwell, as to her eagerness to conclude a marriage with the duke of Norfolk. 1569.

This marriage was the object of that secret negotiation in England, which I have already mentioned. The fertile and projecting genius of Maitland first conceived this scheme. During the conference at York, he communicated it to the duke himself, and to the bishop of Ross. The former readily closed with a scheme so flattering to his ambition: the latter considered it as a probable device for restoring his mistress to liberty, and replacing her on her throne. Nor was Mary, with whom Norfolk held a correspondence, by means of his sister, lady Scrope, averse from a measure, which would have restored her to her kingdom with so much splendour[e]. The sudden removal of the conference from York to Westminster suspended, but did not break off this intrigue. Maitland and Ross were still the duke's prompters, and his agents; and many letters and lovetokens were exchanged between him and the queen of Scots.

Conceals it from Elizabeth.

But as he could not hope, that under an administration so vigilant as Elizabeth's, such an intrigue could be kept long concealed, he attempted to deceive her by the appearance of openness and candour, an artifice which seldom fails of success. He mentioned to her the rumour that was spread of his marriage with the Scottish queen; he complained of it as a groundless calumny; and disclaimed all thoughts of that kind, with many expressions full of contempt both for Mary's character and dominions. Jealous as Elizabeth was of every thing relative to the queen of Scots, she seems to have credited these professions[f]. But, instead of discontinuing the negotiation, he renewed it with greater vigour, and admitted into it new associates. Among these was the regent of Scotland. He had given great

[e] Camd. 419. Haynes, 573. State Trials, i. 73.

[f] Haynes, 574. State Trials, i. 79, 80.

1569. offence to Norfolk, by his public accusation of the queen, in breach of the concert into which he had entered at York. He was then ready to return into Scotland. The influence of the duke in the north of England was great. The earls of Northumberland and Westmorland, the most powerful noblemen in that part of the kingdom, threatened to revenge upon the regent the injuries which he had done his sovereign. Murray, in order to secure a safe return into Scotland, addressed himself to Norfolk; and, after some apology for his past conduct, he insinuated that the duke's scheme of marrying the queen, his sister, was no less acceptable to him than beneficial to both kingdoms, and that he would concur with the utmost ardour in promoting so desirable an event[s]. Norfolk heard him with the credulity natural to those who are passionately bent upon any design. He wrote to the two earls to desist from any hostile attempt against Murray, and to that he owed his passage through the northern counties without disturbance.

Gains the consent of the English nobles.

Encouraged by his success in gaining the regent, he next attempted to draw the English nobles to approve his design. The nation began to despair of Elizabeth's marrying. Her jealousy kept the question with regard to the right of succession undecided. The memory of the civil wars which had desolated England for more than a century, on account of the disputed titles of the houses of York and Lancaster, was still recent. Almost all the ancient nobility had perished, and the nation itself had been brought to the brink of destruction in that unhappy contest. The Scottish queen, though her right of succession was generally held to be undoubted, might meet with formidable competitors. She might marry a foreign and a popish prince, and bring both liberty and religion into danger. But, by marrying her to an Englishman, a zea-

[s] Anders. iii. 34.

lous protestant, the most powerful and most universally beloved of all the nobility, an effectual remedy seemed to be provided against all these evils. The greater part of the peers, either directly or tacitly, approved of it, as a salutary project. The earls of Arundel, Pembroke, Leicester, and lord Lumley, subscribed a letter to the Scottish queen, written with Leicester's hand, in which they warmly recommended the match, but insisted, by way of preliminary, on Mary's promise, that she should attempt nothing, in consequence of her pretensions to the English crown, prejudicial to Elizabeth, or to her posterity; that she should consent to a league, offensive and defensive, between the two kingdoms; that she should confirm the present establishment of religion in Scotland, and receive into favour such of her subjects as had appeared in arms against her. Upon her agreeing to the marriage and ratifying these articles, they engaged that the English nobles would not only concur in restoring her immediately to her own throne, but in securing to her that of England in reversion. Mary readily consented to all these proposals, except the second, with regard to which she demanded some time for consulting her ancient ally, the French king[h]. 1569.

The whole of this negotiation was industriously concealed from Elizabeth. Her jealousy of the Scottish queen was well known, nor could it be expected that she would willingly come into a measure, which tended so visibly to save the reputation, and to increase the power of her rival. But, in a matter of so much consequence to the nation, the taking a few steps without her knowledge could hardly be reckoned criminal; and while every person concerned, even Mary and Norfolk themselves, declared, that nothing should be concluded without obtaining her consent, the duty and allegiance of subjects seemed to be fully preserved.

[h] Anders. vol. iii. 51. Camd. 420.

1569. The greater part of the nobles regarded the matter in this light. Those who conducted the intrigue, had farther and more dangerous views. They saw the advantages which Mary would obtain by this treaty, to be present and certain; and the execution of the promises which she came under, to be distant and uncertain. They had early communicated their scheme to the kings of France and Spain, and obtained their approbation[i]. A treaty concerning which they consulted foreign princes, while they concealed it from their own sovereign, could not be deemed innocent. They hoped, however, that the union of such a number of the chief persons in the kingdom would render it necessary for Elizabeth to comply; they flattered themselves that a combination so strong would be altogether irresistible; and such was their confidence of success, that when a plan was concerted in the North of England for rescuing Mary out of the hands of her keepers, Norfolk, who was afraid that if she recovered her liberty, her sentiments in his favour might change, used all his interest to dissuade the conspirators from attempting it[k].

In this situation did the affair remain, when lord Boyd arrived from England; and, besides the letters which he produced publicly, brought others in ciphers from Norfolk and Throkmorton, to the regent, and to Maitland. These were full of the most sanguine hopes. All the nobles of England concurred, said they, in favouring the design. Every preliminary was adjusted; nor was it possible that a scheme so deep-laid, conducted with so much art, and supported both by power and by numbers, could miscarry, or be defeated in the execution. Nothing now was wanting but the concluding ceremony. It depended on the regent to hasten that, by procuring a sentence of divorce, which would remove the only obstacle that stood

[i] Anders. vol. iii. 63. [k] Camd. 420.

in the way. This was expected of him, in consequence of his promise to Norfolk; and if he regarded either his interest or his fame, or even his safety, he would not fail to fulfil these engagements[l]. 1569.

But the regent was now in very different circumstances from those which had formerly induced him to affect an approbation of Norfolk's schemes. He saw that the downfal of his own power must be the first consequence of the duke's success; and if the queen, who considered him as the chief author of all her misfortunes, should recover her ancient authority, he could never expect favour, nor scarce hope for impunity. No wonder he declined a step so fatal to himself, and which would have established the grandeur of another on the ruins of his own. This refusal occasioned a delay. But, as every other circumstance was settled, the bishop of Ross, in the name of his mistress, and the duke, in person, declared, in presence of the French ambassador, their mutual consent to the marriage, and a contract to this purpose was signed, and intrusted to the keeping of the ambassador[m].

August 13. Elizabeth discovers the duke's design, and defeats it.

The intrigue was now in so many hands, that it could not long remain a secret. It began to be whispered at court; and Elizabeth calling the duke into her presence, expressed the utmost indignation at his conduct, and charged him to lay aside all thoughts of prosecuting such a dangerous design. Soon after Leicester, who perhaps had countenanced the project with no other intention, revealed all the circumstances of it to the queen. Pembroke, Arundel, Lumley, and Throkmorton, were confined and examined. Mary was watched more narrowly than ever; and Hastings, earl of Huntingdon, who pretended to dispute with the Scottish queen her right to the succession, being

[l] Haynes, 520. Spotsw. 230. See Appendix, No. XXXII.

[m] Carte, vol. iii. 486.

1569. joined in commission with Shrewsbury, rendered her imprisonment more intolerable, by the excess of his vigilance and rigour[n]. The Scottish regent, threatened with Elizabeth's displeasure, meanly betrayed the duke; put his letters into her hands, and furnished all the intelligence in his power[o]. The duke himself retired first to Howard house, and then, in contempt of the summons to appear before the privy council, fled to his seat in Norfolk. Intimidated by the imprisonment of his associates; coldly received by his friends in that county; unprepared for a rebellion; and unwilling perhaps to rebel; he hesitated for some days, and at last obeyed a second call, and repaired
Oct. 3. to Windsor. He was first kept as a prisoner in a private house, and then sent to the tower. After being confined there upwards of nine months, he was released upon his humble submission to Elizabeth, giving her a promise, on his allegiance, to hold no farther correspondence with the queen of Scots[p]. During the progress of Norfolk's negotiations, the queen's partisans in Scotland, who made no doubt of their issuing in her restoration to the throne, with an increase of authority, were wonderfully elevated. Maitland was the soul of that party, and the person whose activity and ability
Maitland imprisoned by the regent. the regent chiefly dreaded. He had laid the plan of that intrigue which had kindled such combustion in England. He continued to foment the spirit of disaffection in Scotland, and had seduced from the regent lord Home, Kirkaldy, and several of his former associates. While he enjoyed liberty, the regent could not reckon his own power secure. For this reason, having by an artifice allured Maitland to Stirling, he employed captain Crawford, one of his creatures, to accuse him of being accessory to the murder of the king; and, under that pretence, he was arrested and

[n] Haynes, 525, 526. 530. 532.
[o] See Appendix, No. XXXIII.
[p] Haynes, 525. 597.

carried as a prisoner to Edinburgh. He would soon have been brought to trial, but was saved by the friendship of Kirkaldy, governor of the castle, who, by pretending a warrant for that purpose from the regent, got him out of the hands of the person to whose care he was committed, and conducted him into the castle, which, from that time, was entirely under Maitland's command[q]. The loss of a place of so much importance, and the defection of a man so eminent for military skill as Kirkaldy, brought the regent into some disreputation, for which, however, the success of his ally Elizabeth, about this time, abundantly compensated. 1569.

A rebellion against Elizabeth by Mary's adherents.

The intrigue carried on for restoring the Scottish queen to liberty having been discovered, and disappointed, an attempt was made to the same purpose, by force of arms; but the issue of it was not more fortunate. The earls of Northumberland and Westmorland, though little distinguished by their personal abilities, were two of the most ancient and powerful of the English peers. Their estates in the northern counties were great, and they possessed that influence over the inhabitants, which was hereditary in the popular and martial families of Percy and of Nevil. They were both attached to the popish religion, and discontented with the court, where new men and a new system prevailed. Ever since Mary's arrival in England, they had warmly espoused her interest; and zeal for popery, opposition to the court, and commiseration of her sufferings, had engaged them in different plots for her relief. Notwithstanding the vigilance of her keeper, they held a close correspondence with her, and communicated to her all their designs[r]. They were privy to Norfolk's schemes; but the caution with which he proceeded did not suit their ardour and impetuosity. The liberty of the Scottish queen was not their sole object. They aimed at bringing

[q] Spotsw. 232. [r] Haynes, 595. Murdin, 44. 62, etc.

1569. about a change in the religion, and a revolution in the government of the kingdom. For this reason, they solicited the aid of the king of Spain, the avowed and zealous patron of popery in that age. Nothing could be more delightful to the restless spirit of Philip, or more necessary towards facilitating his schemes in the Netherlands, than the involving England in the confusion and miseries of a civil war. The duke of Alva, by his direction, encouraged the two earls, and promised, as soon as they either took the field with their forces, or surprised any place of strength, or rescued the queen of Scots, that he would supply them both with money and a strong body of troops. La Mothe, the governor of Dunkirk, in the disguise of a sailor, sounded the ports where it would be most proper to land. And Chiapini Vitelli, one of Alva's ablest officers, was despatched into England, on pretence of settling some commercial differences between the two nations; but in reality that the rebels might be sure of a leader of experience, as soon as they ventured to take arms[s].

Defeated. The conduct of this negotiation occasioned many meetings and messages between the two earls. Elizabeth was informed of these; and, though she suspected nothing of their real design, she concluded that they were among the number of Norfolk's confidents. They were summoned, for this reason, to repair to court. Conscious of guilt, and afraid of discovery, they de-

Nov. 9. layed giving obedience. A second and more peremptory order was issued. This they could not decline, without shaking off their allegiance; and, as no time was left for deliberation, they instantly erected their standard against their sovereign. The reestablishing the catholic religion; the settling the order of succession to the crown; the defence of the ancient nobility; were the motives which they alleged to justify

[s] Carte, vol. iii. 489, 490. Camd. 421.

their rebellion[t]. Many of the lower people flocked to them with such arms as they could procure; and, had the capacity of their leaders been, in any degree, equal to the enterprise, it must have soon grown to be extremely formidable. Elizabeth acted with prudence and vigour, and was served by her subjects with fidelity and ardour. On the first rumour of an insurrection, Mary was removed to Coventry, a place of strength, which could not be taken without a regular siege; a detachment of the rebels, which was sent to rescue her, returned without success. Troops were assembled in different parts of the kingdom; as they advanced, the malecontents retired. In their retreat their numbers dwindled away, and their spirits sunk. Despair and uncertainty whither to direct their flight, kept together for some time a small body of them among the mountains of Northumberland; but they were at length obliged to disperse, and the chiefs took refuge among the Scottish borderers. The two earls, together with the countess of Northumberland, wandering for some days in the wastes of Liddisdale, were plundered by the banditti, exposed to the rigour of the season, and left destitute of the necessaries of life. Westmorland was concealed by Scott of Buccleugh and Ker of Ferniherst, and afterwards conveyed into the Netherlands. Northumberland was seized by the regent, who had marched with some troops towards the borders, to prevent any impression the rebels might make on those mutinous provinces[u]. 1569. Dec. 21.

Church affairs.

Amidst so many surprising events, the affairs of the church, for two years, have almost escaped our notice. Its general assemblies were held regularly; but no business of much importance employed their attention. As the number of the protestant clergy daily increased, the deficiency of the funds set apart for their subsistence became greater, and was more sensibly felt.

[t] Strype, vol. i. 547. [u] Cabbala, 171. Camd. 422.

1569. Many efforts were made towards recovering the ancient patrimony of the church, or, at least, as much of it as was possessed by the popish incumbents, a race of men who were now not only useless, but burthensome to the nation. But though the manner in which the regent received the addresses and complaints of the general assemblies, was very different from that to which they had been accustomed, no effectual remedy was provided; and, while they suffered intolerable oppression, and groaned under extreme poverty, fair words and liberal promises, were all they were able to obtain[x].

1570. Elizabeth resolves to give up Mary to the regent:

Elizabeth now began to be weary of keeping such a prisoner as the queen of Scots. During the former year, the tranquillity of her government had been disturbed, first by a secret combination of some of her nobles, then by the rebellion of others; and she often declared, not without reason, that Mary was the 'hidden cause' of both. Many of her own subjects favoured or pitied the captive queen; the Roman catholic princes on the continent were warmly interested in her cause. The detaining her any longer in England, she foresaw, would be made the pretext or occasion of perpetual cabals and insurrections among the former; and might expose her to the hostile attempts of the latter. She resolved, therefore, to give up Mary into the hands of the regent, after stipulating with him, not only that her days should not be cut short, either by a judicial sentence or by secret violence, but that she should be treated in a manner suited to her rank; and, in order to secure his observance of this, she required that six of the chief noblemen in the kingdom should be sent into England as hostages[y]. With respect to the safe custody of the queen, she relied on Murray's vigilance, whose security, no less than her own, depended on preventing Mary from reascending the throne. The negotiation for this purpose was carried some length,

[x] Cald. vol. ii. 80, etc. [y] Haynes, 524.

when it was discovered by the vigilance of the bishop of Ross, who, together with the French and Spanish ambassadors, remonstrated against the infamy of such an action, and represented the surrendering the queen to her rebellious subjects, to be the same thing as if Elizabeth should, by her own authority, condemn her to instant death. This procured a delay; and the murder of the regent prevented the revival of that design [x]. 1570.

but he is murdered.

Hamilton of Bothwellhaugh was the person who committed this barbarous action. He had been condemned to death soon after the battle of Langside, as I have already related, and owed his life to the regent's clemency. But part of his estate had been bestowed upon one of the regent's favourites, who seized his house, and turned out his wife naked, in a cold night, into the open fields, where, before next morning, she became furiously mad. This injury made a deeper impression upon him than the benefit which he had received, and from that moment he vowed to be revenged upon the regent. Party-rage strengthened and inflamed his private resentment. His kinsmen, the Hamiltons, applauded the enterprise. The maxims of that age justified the most desperate course which he could take to obtain vengeance. He followed the regent for some time, and watched for an opportunity to strike the blow. He resolved at last to wait till his enemy should arrive at Linlithgow, through which he was to pass, in his way from Stirling to Edinburgh. He took his stand in a wooden gallery, which had a window towards the street; spread a featherbed on the floor, to hinder the noise of his feet from being heard; hung up a black cloth behind him, that his shadow might not be observed from without; and, after all this preparation, calmly expected the regent's approach, who had lodged during the night in a part

[x] Carte, vol. iii. 491. Anders. vol. iii. 84.

1570. of the town not far distant. Some indistinct information of the danger which threatened him had been conveyed to the regent, and he paid so much regard to it, that he resolved to return by the same gate through which he had entered, and to fetch a compass round the town. But as the crowd about the gate was great, and he himself unacquainted with fear, he proceeded directly along the street; and, the throng of the people obliging him to move very slowly, gave the assassin time to take so true an aim, that he shot him with a single bullet, through the lower part of his belly, and killed the horse of a gentleman who rode on his other side. His followers instantly endeavoured to break into the house whence the blow had come, but they found the door strongly barricaded; and before it could be forced open, Hamilton had mounted a fleet horse, which stood ready for him at a back-passage, and was got far beyond their reach. The regent died the same night of his wound[a].

His character. There is no person in that age about whom historians have been more divided, or whose character has been drawn in such opposite colours. Personal intrepidity, military skill, sagacity, and vigour in the administration of civil affairs, are virtues which even his enemies allow him to have possessed in an eminent degree. His moral qualities are more dubious, and ought neither to be praised nor censured without great reserve, and many distinctions. In a fierce age he was capable of using victory with humanity, and of treating the vanquished with moderation. A patron of learning, which, among martial nobles, was either unknown or despised. Zealous for religion, to a degree which distinguished him, even at a time when professions of that kind were not uncommon. His confidence in his friends was extreme, and inferior only in his liberality towards them, which knew no bounds. A disinterested

[a] Buchan. 385. Crawf. Mem. 124. Cabbala, 171.

passion for the liberty of his country, prompted him to oppose the pernicious system which the princes of Lorrain had obliged the queen-mother to pursue. On Mary's return into Scotland, he served her with a zeal and affection, to which he sacrificed the friendship of those who were most attached to his person. But, on the other hand, his ambition was immoderate; and events happened that opened to him vast projects, which allured his enterprising genius, and led him to actions inconsistent with the duty of a subject. His treatment of the queen, to whose bounty he was so much indebted, was unbrotherly and ungrateful. The dependence on Elizabeth, under which he brought Scotland, was disgraceful to the nation. He deceived and betrayed Norfolk with a baseness unworthy of a man of honour. His elevation to such unexpected dignity inspired him with new passions, with haughtiness and reserve; and instead of his natural manner, which was blunt and open, he affected the arts of dissimulation and refinement. Fond, towards the end of his life, of flattery, and impatient of advice, his creatures, by soothing his vanity, led him astray, while his ancient friends stood at a distance, and predicted his approaching fall. But amidst the turbulence and confusion of that factious period, he dispensed justice with so much impartiality, he repressed the licentious borderers with so much courage, and established such uncommon order and tranquillity in the country, that his administration was extremely popular, and he was long and affectionately remembered among the commons, by the name of the GOOD REGENT. 1570.

THE END OF THE FIRST VOLUME.

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